

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
APPEAL NO. 07 (EZ) OF 2024
[I.A. No. 38 (EZ) OF 2024 and I.A. No. 97 (EZ) OF 2024]**

IN THE MATTERS OF

Sanjaya Kumar Mishra

...APPELLANT

VERSUS

Ministry of Environment, Forest and Climate Change & Anr. ...RESPONDENTS

AND

Subhadra Coal Mining Limited

...APPLICANT/INTERVENOR

VERSUS

Sanjaya Kumar Mishra

...RESPONDENT

COUNTER AFFIDAVIT AGAINST I.A. No. 97 (EZ) OF 2024

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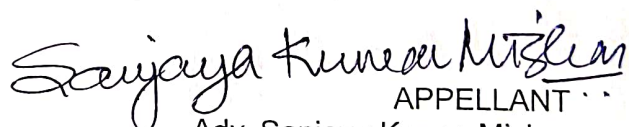
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Place: Balangir

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MOST RESPECTFULLY,

I, Sanjaya Kumar Mishra, Advocate, S/o Shri Nilamani Mishra, residing at Maszid Chowk, Tikrapara, Balangir - 767001, Odisha, do hereby solemnly affirm and state that I am the Appellant in Appeal No. 07 (EZ) of 2024.

MOST RESPECTFULLY,

I submit this Counter Affidavit in opposition to the Interlocutory Application (I.A.) No. 97/2024/EZ filed before the Hon'ble National Green Tribunal.

1. That in the I.A. No. 97/2024/EZ filed by That Subhadra Coal Mining Limited (hereafter "INTERVENER"), Clause 5.1.5(e) and Clause 29.1.6 of the Mining Agreement—referred to as Point No. 4—and Clause 2(a) of the Pure Agency Agreement—referred to as Point No. 5—do not confer any entitlement or assign any role to the INTERVENER following the issuance of the Environmental Clearance (EC).

2. The Supplementary Affidavit dated 3rd December 2024 includes the Coal Mining Agreement. Article 2, titled "*Scope of the Project*," under Clause 2.1.e(xx), **which was not mentioned in the instant I.A.**, states: "*Environmental clearance, including public hearing and all other activities such as conducting various studies as per the Terms of Reference (ToR), preparation of the EIA/EMP, public consultation, etc., except for the preparation of Form-1...*" This clause also does not entitle or assign any role to the INTERVENER following the issuance of the EC.

3. That in paragraph 7 of the instant I.A., the INTERVENER has stated, "*Further; it is also relevant to mention that MCL has, vide letter dated September 5, 2024, intimated the Applicant about the instant Appeal, provided a copy thereof, and instructed the Applicant to intervene therein and make submissions in defense...*" However, the letter dated 5th September 2024, issued by MCL (Respondent No. 2, hereinafter referred to as R/2 in the Appeal), explicitly references two prior emails dated 3rd August 2024, and 16th August 2024. This indicates that the INTERVENER was informed well before 5th September 2024, contradicting the claim made. Moreover, in the said letter, R/2 in the Appeal directed the INTERVENER to intervene independently, stating that "*the cause of this case has arisen by the acts of M/s Subhadra Coal Mining Limited and its consultant(s).*" The absence of the INTERVENER's signature on crucial documents like the Undertaking (Form-1) submitted during the Environmental Clearance (EC) process unequivocally demonstrates its limited role as a mere backend support provider. Based on these facts, this intervention lacks merit and appears to be a deliberate attempt to obstruct the pursuit of environmental justice.

4. I respectfully submit that the above-said email dated 5th September 2024, explicitly states that "*the cause of this case has arisen by the acts of M/s Subhadra Coal Mining Limited and its consultant(s),*" thereby serving as a clear and unequivocal

acknowledgment that the actions of the INTERVENER and its consultant(s) are the direct basis of the present Appeal. This constitutes a clear and unequivocal acknowledgment that the actions of the INTERVENER and its consultant(s) are the direct origin of the present Appeal. This explicit acknowledgment conclusively establishes the basis for this matter. Given the email's unambiguous reference to the conduct of the INTERVENER and its consultant(s), it is submitted that the origin of this case is firmly established and requires no further consideration or examination within the scope of this Appeal.

5. Paragraphs 1 to 8(b) of the instant Interlocutory Application (I.A.) clearly demonstrate that the INTERVENER did not participate in the 'Scoping' stage, which constitutes Stage 1 of the Environmental Clearance (EC) process. Scoping refers to the process of determining the Terms of Reference (ToR) by the Regulatory Authority for the preparation of the Environmental Impact Assessment (EIA) Report for the project, prior to obtaining prior-EC. Both the original and amended ToRs were approved before any agreement was entered into with the INTERVENER.

6. That in paragraph 8(b) of the present I.A., the INTERVENER has referred to the 21st meeting of the Sectoral Expert Appraisal Committee (EAC), held on 27th October 2021, along with its subsequent recommendation and the grant of the ToR by the Ministry of Environment, Forest and Climate Change (MoEF&CC, *Respondent No. 1, hereinafter R/1, in the Appeal*) on 22nd November 2021. It is most respectfully submitted that the documents uploaded on the Parivesh Portal clearly indicate that although the EAC recommended the grant of ToR in its Minutes of Meeting dated October 27, 2021, the third paragraph under section 20.1.4 states: "*Also, during the presentation, EAC was disappointed with the consultant M/s CMPDIL and its repeated mistakes in the presentation and asked to come prepared with all the*

requirements for ToR since projected location of monitoring in terms of air, water, and noise quality was not produced." (Kindly See Annexure A/1) This acknowledgment by the EAC highlights significant shortcomings in the consultant's presentation, raising concerns regarding the thoroughness and adequacy of the assessment process. It is respectfully pointed out that the INTERVENER has **not disclosed** the name of M/s CMPDIL before the Hon'ble NGT for reasons best known to them. This omission, coupled with **the EAC's recorded dissatisfaction, serves as clear evidence of the laxity exhibited in the generation of baseline data from the inception of the project.** Therefore, R/2 in the Appeal, must be held accountable for this negligence.

7. According to the MoEF&CC, the prior EC process for Category 'A' or Category 'B1' projects/activities will comprise the following, however, the applicability of such stages for cases or classes of cases is outlined in the EIA Notification, 2006. The stages, in sequential order, are:
 - Stage (1): Scoping (*means the process of determining the Terms of Reference "in short ToR" by the Regulatory Authority for the preparation of the EIA Report*)
 - Stage (2): Preparation of the Draft EIA Report
 - Stage (3): Public Consultation
 - Stage (4): Preparation of the Final EIA
 - Stage (5): Appraisal; and
 - Stage (6): Grant or Rejection of Prior Environment Clearance

The Terms of Reference (ToR) means the detailed scope prescribed by the Regulatory Authority for the project for the preparation of the EIA Report.

8. The Clause 5.1.5(e) and Clause 29.1.6 of the Mining Agreement, as referenced in point No. 4 of the present I.A., do not specify the scope of the baseline study prescribed by R/1, the MoEF&CC, in the ToR. These clauses primarily address matters related to the procurement and associated payments, and reimbursement, rather than outlining responsibilities concerning baseline data collection in the EC.
9. The Clause 2(a) of the Pure Agency Agreement, referenced as Point No. 5 by the INTERVENER in I.A. No. 97/2024/EZ has not specified any scope prescribed by the R/1, the MoEF&CC, in the ToR.
10. The Supplementary Affidavit dated 3rd December 2024, available on the web portal of the Hon'ble NGT, includes the Coal Mining Agreement. Article 2, titled "*Scope of the Project,*" specifically under Clause 2.1.e(xx), states: "*Environment clearance including public hearing and all other activities including getting the various studies done as per ToR, preparation of EIA/EMP, Public consultation etc., except preparation of Form-1...*" However, this provision does not explicitly state the responsibility for obtaining the EC. Notably, the INTERVENER has not referenced this clause in the instant I.A.
- The absence of clear cross-references between clauses and relevant documents renders interpretation cumbersome, prone to ambiguity, and susceptible to errors.**
11. It is respectfully submitted that the Work Order dated 11th August 2022, as cited in the Paragraph 8(c) of the instant I.A., does not clearly specify the test parameters for baseline data generation concerning ambient air quality. Under the section titled "*Service Provider's Scope of Work,*" it broadly states: "*The detailed scope of work (inclusive) to be carried out for obtaining Environmental Clearance, as per the latest*

guidelines of the Ministry of Environment and Forests (MoEF&CC), is furnished below. The scope of work will cover all points mentioned in Approved Terms of Reference (ToR) by Expert Appraisal Committee, MOEF&CC, GOI.”

- A. Further, sub-paragraph (a) mentions: *“Collection of primary/secondary data, Baseline Environmental Study at the site and in the buffer zone, impact prediction using approved models, and preparation of draft EIA/EMP report as per approved ToR.”*
- B. Sub-paragraph (b) states: *“Collection of baseline data for one season (non-monsoonal) of air, water, soil, noise, and other environmental parameters, including one season of meteorological data as per the requirements of MoEF&CC and approved ToR.”*
- C. Additionally, sub-paragraph (e) requires: *“Photographs of the baseline data collection for air quality, water, soil, noise monitoring, etc., and other studies with geotagging.”*
- D. The Work Order, under the section titled *“Baseline Study”* and subheading *“Ambient Air Quality,”* directs that air quality should be monitored at appropriate stations around the project site, including the core zone, with 24-hourly samples collected for PM10, PM2.5, SO_x, NO_x, and CO. The sampling protocol is to adhere to NAAQ standards and CPCB guidelines. **This clause of the INTERVENER’s Work Order is vague, inappropriate and inconsistent with the approved ToR for ambient air quality monitoring.** This reflects a lack of seriousness and a negligent approach toward the EIA baseline data generation, particularly concerning air quality monitoring.
- E. That the INTERVENER has submitted under 8(d) of the instant I.A. that *“As per condition Specific Condition No. (x) of the ToR issued by the MoEF to the project proponent (MCL) with respect to the said mines, the allottee was under obligation to collect one-season non-monsoon primary baseline data on air*

quality for the purpose of obtaining EC. Accordingly, one season non-monsoon data was collected by Vardan Environet between October to December 2022 at the interval of twice in a week."

- F. It is respectfully submitted that the ToR dated 22nd November 2021 under Specific Condition (x) mentions: *"In addition to existing data already collected (if any), the Cumulative Impact Assessment Study, ecosystem services study and biodiversity study of the area shall be carried over by project proponent. PP shall collect one season baseline data of all environmental parameters and shall compare with the data of earlier data collected for cumulative assessment of area. Air pollution impact predication shall be conducted by considering the maximum values."*
- G. The INTERVENER's submissions within Paragraphs 8(d) and 8(e) of the instant I.A. demonstrate blatant non-compliance with several critical ToR conditions pertaining to ambient air quality monitoring for baseline data collection. I respectfully submit that the following points of ToR dated 22nd November 2021 are significant in this matter, which the INTERVENER failed to comply with:
- **Specific Condition (xviii):** *"Windrose pattern in the area should be reviewed, and accordingly, the location of AAQMS shall be planned by the collection of air quality data. Monitoring locations for collecting baseline data should cover the overall 10 km buffer zone, i.e., dispersed in the 10 km buffer area."*
 - **Specific Condition (xxxv):** *"The PP should submit the photograph of monitoring locations and sampling stations. The photograph should bear the date, time, latitude and longitude of the monitoring station, oblique sampling location. In addition to this, PP should submit the*

original test reports and certificates of their labs, which will analyze the samples.”

- The paragraph bearing serial number 5. with the heading “**Standard ToR**” specifies “*The EIA/EMP report should contain information in accordance with provisions & stipulations as given in standard ToR for Opencast coal mine projects*”. The approved ToR has also given a link to the standard ToR. However, the link opened as Generic ToR for opencast/UG coal mine projects.
- The Generic ToR for Opencast / UG coal mine projects at point numbered as (x) “*collection of one-season (non-monsoon) primary baseline data on environmental quality - air (PM_{10} , $PM_{2.5}$, SO_x , NO_x and heavy metals such as Hg, Pb, Cr, AS etc., noise...*” Further, the paragraph (xxxiii) mentions and requires “*Occupational health issues. Baseline data on the health of the population in the impact zone and measures for occupational health and safety of the personnel and manpower in the mine should be given.*”

H. Therefore, it is evident that the Work Order provides insufficient detail regarding ambient air quality monitoring and lacks a clear, consistent framework for executing baseline data collection. The INTERVENER's submissions within this I.A. confirm their failure to comply with the requirements outlined in the Terms of Reference (ToR), constituting a serious breach.

12. The IS: 5182 (Part 11): 2006 standard is based on the *Detection Limit* rather than the *Limit of Quantification (LOQ)*. As highlighted in Paragraph 5.5(f) of the Appeal, the failure to include the Detection Limit, as explicitly mandated by IS: 5182 (Part 11), constitutes clear non-compliance with the prescribed methodology. Consequently, the

INTERVENER's assertions made in Paragraph 8(f) of the instant I.A. stand invalidated.

13. The claim of INTERVENER on test reports is false. The document titled as "Test Report" is merely a tabulated compilation of test results. The so-called Test Reports lack essential details such as the precise location of sampling, the duration of sampling for benzene samples, the testing period, and any environmental conditions observed during sampling and testing.

A. The ISO/IEC 17025:2017 document (**copy of relevant pages attached as Annexure A/2**) titled "General requirements for the competence of testing and calibration laboratories" within "7.8.2 Common requirements for reports (test, calibration or sampling)" and subclause 7.8.2.1 with heading "*Each report shall include at least the following information, unless the laboratory has valid reasons for not doing so, thereby minimizing any possibility of misunderstanding or misuse:*" has specified:

a) ...;

b) ...;

c) *the location of performance of the laboratory activities, including when performed at a customer facility or at sites away from the laboratory's permanent facilities, or in associated temporary or mobile facilities;*

d) ...;

e) ...;

g) *a description, unambiguous identification, and, when necessary, the condition of the item;*

h) *the date of receipt of the test or calibration item(s), and the date of sampling, where this is critical to the validity and application of the results;*

i) *the date(s) of performance of the laboratory activity;*

- j) ...;
- k) ...;
- l) ...;
- m) ...;
- n) *additions to, deviations, or exclusions from the method;*
- o) ...;

B. The ISO/IEC 17025:2017 document (**Kindly see Annexure A/2**) within “clause 7.8.5 Reporting sampling – specific requirements” has specified “*Where the laboratory is responsible for the sampling activity, in addition to the requirements listed in 7.8.2, reports shall include the following, where necessary for the interpretation of results:*

- a) *the date of sampling;*
- b) *unique identification of the item or material sampled (including the name of the manufacturer, the model or type of designation and serial numbers, as appropriate);*
- c) *the location of sampling, including any diagrams, sketches or photographs;*
- d) *a reference to the sampling plan and sampling method;*
- e) *details of any environmental conditions during sampling that affect the interpretation of the results;*
- f) *information required to evaluate measurement uncertainty for subsequent testing or calibration.”,*

C. Notable that NABL Accreditation is based on ISO/IEC 17025:2017.

D. Notable that this Hon’ble Eastern Zone Bench of NGT, has passed an Order dated 13th December 2024 in the matter of Ankur Sharma Versus State of West Bengal & Ors., Original Application No. 75/2023/EZ, necessitating the “lab reports”. The chart provided in the matter can be compared with the so-called test reports in the instant I.A.

E. Furthermore, the documents labeled 'test reports' falsely claim compliance with the ToR letter by stating 'Parameters Required: As per ToR letter,' despite the glaring omission of the mandatory heavy metal test parameter 'Cr'.

14. The Appeal does not press on whether the Benzene (C₆H₆) concentration level in ambient air meets the National Ambient Air Quality Standards (NAAQS) published by the Central Pollution Control Board vide Notification dated 18th November 2009. It rather challenges the reporting of test results. However, it is important to highlight that the INTERVENER has presented incorrect information in the present I.A. According to the NAAQS 2009, the permissible limit for the air pollutant Benzene (C₆H₆) is 5 µg/m³ on an Annual Time Weighted Average. The term “*Annual*” refers to the arithmetic mean of at least 104 measurements taken at uniform intervals over the course of a year at a specific site, with monitoring occurring twice a week over 24-hour periods. This also has been presented in the Appeal. The INTERVENER has stated that monitoring was conducted for only 3 months, and there was no annual monitoring data. This discrepancy clearly undermines their claim, and as such, the assertions made in Paragraph 8(g) of the instant I.A. are hereby negated.

15. As already detailed in the Appeal, it is important to emphasize that IS: 5182 (Part 11) outlines three distinct methods for ambient air quality testing. However, neither the Test Reports, nor the Expert Appraisal Committee’s (EAC) Minutes of Meeting (MoM), nor the INTERVENER provide clear confirmation regarding which of the three methods was actually followed. A suo-motu statement alone is insufficient. **The INTERVENER has misguided Hon’ble NGT by stating “As per the said standards, three test methods have been described out of which one of the methods is Gas Chromatography with Flame Ionization Detector (GC-FID) ...”.** **The truth is that all the three methods are based on GC-FID. The**

INTERVENER has also made a false claim and misguided Hon'ble NGT by stating "In this regard, reference is also brought to the Guidelines for the Measurement of Ambient Air Pollutants (National Ambient Air Quality Series) published by the Central Pollution Control Board which explains the GC-FID methods, a copy of which is annexed hereto and marked as Annexure J." **The annexed document contains guidelines for monitoring of Benzene (Benzene, toluene, Ethyl benzene M+P xylene and O-Xylene) in ambient air by online real time monitoring instruments.** Therefore, the claims presented in Paragraphs 8(h) and 8(i) of the instant I.A. are hereby refuted.

16. No evidence has been presented to substantiate the claim made in Paragraph 8(j). The document titled "*Quality Standard Procedures*" is a basic and generic document typically used by laboratories seeking ISO 17025 accreditation, which NABL also offers and widely called as NABL accreditation. It does not prove that due process was followed by the INTERVENER's consultant/laboratory in conducting the environmental parameter tests for the instant case. It is essential to substantiate with evidence on the sample trail, chain of custody, preservation techniques followed, time intervals between sampling and testing, and relevant back-end data, such as peak values and graphs. These crucial documents were not produced by the INTERVENER, despite being specifically referenced in the Appeal. *Further, clause 7.8.2.2 of ISO 17025:2017 specifies that "The laboratory shall be responsible for all the information provided in the report, except when information is provided by the customer. Data provided by a customer shall be clearly identified. In addition, a disclaimer shall be put on the report when the information is supplied by the customer and can affect the validity of results. Where the laboratory has not been responsible for the sampling stage (e.g. the sample has been provided by the customer), it shall state in the report that the results apply to the sample as received."* **(Kindly see**

Annexure A/2). Therefore, the assertions in Paragraph 8(j) of the instant I.A. are hereby refuted.

17. The Appeal does not question or contest the Public Hearing. Therefore, Paragraph 8(k) of the instant I.A. is irrelevant.

18. It is humbly submitted with respect to Paragraphs 8(l), 8(m), and 8(n) of the instant I.A. that the INTERVENOR has again demonstrated a lack of seriousness in the matter. They have only referenced the email dated 10th February 2024, while the first email was actually sent on 15th January 2024 to the Member Secretary, EAC (Coal) Mining Projects, raising concerns over the results reported for Benzene in the EIA report. This email went unanswered. A reminder/follow-up email was subsequently sent on 10th February 2024. Further, on 12th March 2024, a counter-reply was submitted in response to the deliberations in the Expert Appraisal Committee's Minutes of Meeting (MoM ID: EC/MOM/EAC/880056/2/2024), which also received no response.

19. I humbly say and submit with respect to Paragraph 8(o) of the present I.A. that the INTERVENOR's statement, "...It was clarified that the parameter Benzene was reported to be below detection limit...", is grossly false. The assertion that the project proponent, MCL (R/2 in the Appeal), responded diligently is not acceptable, for the reasons already detailed in the Appeal. Furthermore, Paragraphs 8(p), 8(q), 8(r), and 8(s) of the instant I.A. are central to the Appeal.

20. With regard to Paragraphs 8(t), 8(u), and 8(v) of the instant I.A., the INTERVENOR attempts to defend its position using test reports from the CENTRE FOR ENVOTECH AND MANAGEMENT CONSULTANCY PVT. LTD., which claims to

be a "NABL Accredited Laboratory." While these documents are referred to as test reports, they are essentially tabulated test results. These reports use the term "BDL: Below Detection Limit" for some parameters and also state that Benzene was "Not Detected." According to Section 1020, "QUALITY ASSURANCE," of the American Public Health Association, American Water Works Association, and Water Environment Federation's Standard Methods for the Examination of Water and Wastewater (**Kindly See Annexure A/3**), results below the Method Detection Level should be reported as "Not Detected" (ND). However, the use of both terms—"BDL" and "Not Detected"—necessitates clarification. I respectfully submit that the reports are unreliable due to the absence of critical information regarding the test methods, detection limits, and the use of the term 'Not Detected.' The lack of these essential details precludes any proper assessment of the reports' validity and their compliance with recognized standards.

21. In Paragraph 8(w) of the instant I.A., the INTERVENER has submitted results from the Continuous Ambient Air Quality Monitoring Stations (CAAQMS). While the Appellant refrains from making conclusive remarks on the acceptability of the CAAQMS data due to the lack of transparency in calibration methods available in India, it is notable that the CAAQMS data indicates the presence of Benzene (C_6H_6) on 37 days, with concentrations ranging from $0.01 \mu\text{g}/\text{m}^3$ to $0.7 \mu\text{g}/\text{m}^3$, of which 26 days occurred in December 2022. Furthermore, on 19th–20th November 2022 and 25th–26th December 2022, Benzene concentrations exceeded $0.5 \mu\text{g}/\text{m}^3$, which, as referenced in Paragraph 8(o), is claimed to be the Limit of Quantification. However, the laboratory test results failed to detect any Benzene during this period. This clearly proves discrepancy in the laboratory ambient air quality test results submitted in the EIA report for EC. These inconsistencies not only raise serious concerns but also

reinforce the Appellant's position, highlighting the urgent need for comprehensive scrutiny and re-evaluation.

22. In Paragraph 8(x) of the instant I.A., the INTERVENER references the Disclosure of Consultant in Chapter 12 of the EIA report to justify the validity of the test reports issued under NABL accreditation. However, this defense is fundamentally flawed and misleading. The National Accreditation Board for Testing and Calibration Laboratories (NABL), through its document "*NABL 133: Policy for Use of NABL Symbol and/or Claim of Accreditation by Accredited Conformity Assessment Bodies (CAB) & NABL Accredited CAB Combined ILAC MRA Mark*" (**Kindly see Annexure A/4**), explicitly mandates that all test reports and certificates for parameters within the NABL-accredited scope must bear the NABL symbol.

Specifically, Section 5.1 of this document mandates:

"Use of the NABL symbol is mandatory for the parameters/tests covered under NABL-accredited scope on all the test reports/certificates, medical test reports/certificates, calibration certificates/reports, PT reports, and RM documents issued by NABL Accredited CABs (Conformity Assessment Bodies)."

Further, Section 6.2 reinforces this by stating:

"Use of the NABL symbol is mandatory in all the reports/certificates/documents issued by accredited CABs for the parameters/tests covered under the NABL-accredited scope. CABs are not allowed to use the NABL symbol or claim NABL accreditation status in any form for parameters that are not covered under the NABL-accredited scope."

However, the laboratory-issued documents and test reports cited by the INTERVENER neither bear the NABL symbol nor provide any evidence of being issued under NABL accreditation. Instead, these reports reference ISO 9001, ISO 14001, and ISO 45001 certifications. This deliberate omission suggests a wilful and

intentional effort to withhold test reports and documents that properly display the NABL symbol or claim NABL accreditation.

This clear non-compliance renders the laboratory's test reports/documents invalid under the NABL accreditation framework, irrespective of the laboratory's accreditation status. Consequently, this directly contradicts the INTERVENER's assertions and exposes their claim as false and misleading.

23. In response to Paragraph 8(y) of the instant I.A., the matter has been comprehensively addressed in Paragraph 9 of this counter affidavit. The INTERVENER has not only presented a false claim and attempted to mislead the Hon'ble National Green Tribunal but has also directly contradicted its own position stated in Paragraph 8(i) of the I.A. concerning the CPCB method. This evident inconsistency exposes the INTERVENER's unreliable and conflicting stance, further diminishing the credibility of their arguments before the Hon'ble Tribunal.

24. The assertions made by the INTERVENER in Paragraph 8(z) of the instant I.A. are baseless and untenable, as IS 5182 Part 11 does not prescribe Limit of Quantification (LOQ). Additionally, the CAAQMS data presented in Paragraph 8(w) of the I.A. shows that Benzene (C_6H_6) concentrations in the ambient air exceeded $0.5 \mu\text{g}/\text{m}^3$ (which is said to be LOQ of the test method adopted by INTERVENER's consultant/laboratory) on two occasions, including 19th–20th November 2022. Notably, despite conducting monitoring on 19th November 2022, the laboratory failed to detect any trace of Benzene. More critically, the laboratory did not report any results for 25th–26th December 2022, even though CAAQMS data recorded elevated Benzene levels. The INTERVENER's attempt to invoke IS 5182 Part 11 in relation to the LOQ is a clear misrepresentation, demonstrating not only a misunderstanding of the relevant standards but also an intentional effort to mislead the Hon'ble Tribunal.

Therefore, the INTERVENER's claims under this paragraph are fundamentally flawed and must be outrightly dismissed.

25. In response to Paragraph 9 of the instant I.A., it is unequivocally clear from the aforementioned facts that the ToR conditions were disregarded during baseline data collection for ambient air quality monitoring. The submitted reports lacked essential details such as sampling locations, methodologies, and detection limits, failing to meet the standards prescribed under IS: 5182 (Part 11): 2006. Additionally, the incorrect referencing of the CPCB document concerning ambient air monitoring through online real-time instruments further exposes the deficiencies. The test reports used for environmental appraisal also failed to conform to NABL's mandatory requirements.

Moreover, the **documents submitted by the INTERVENER reveal that monitoring of Chromium ("Cr") was explicitly mandated in the ToR issued by the MoEF&CC (R/1 in the Appeal), yet this parameter was completely omitted in the reports.** This failure to provide baseline data constitutes a significant breach of regulatory obligations and compromises the effectiveness of the environmental monitoring process, thus undermining the reliability and validity of the EIA.

Further, regarding baseline health data of the population within the impact zone, both the INTERVENER's EIA Consultant and the Project Proponent (R/2 in the Appeal) failed to provide any information. Reports publicly available highlight alarming health issues in the region, including cancer, respiratory diseases (excluding TB), neurological conditions such as strokes, cardiovascular diseases, and both chronic and acute illnesses among individuals over six years of age (**Kindly see Annexure A/5**).

This glaring omission and misrepresentation of public health data raise serious concerns about the EIA report's accuracy and completeness.

Further reinforcing this concern is the article titled *“Impact of Mining Activities on the Health and Nutritional Status of Local Communities in Talcher Coalfield, Angul District, Odisha”* by Dr. Acharya Ratan Kumar, Assistant Professor of Geography, Government of Odisha (DHE) (**Kindly see Annexure A/6**). The study explicitly highlights severe health impacts due to mining activities in the region, stating:

“If airborne diseases are taken into consideration, tuberculosis, respiratory diseases, black lung disease, pox, asthma, and other airborne diseases are very common in the study area. Out of the total surveyed population, 28.43% of people are suffering from it. The rate of this disease is very high in the core zone, i.e., 36.62%.”

This study draws upon data from authoritative sources, including successive census reports, mining offices (MCL, CIL, OMC), the District Commissioner’s office, land and revenue records, and scholarly publications. Its conclusion emphasizes:

“Health impacts of mining can’t be eradicated completely, but the impacts can be lessened by using scientific mining, sustainable mining, or green mining methods.”

This underscores the urgent need for effective mitigation strategies—an area inadequately addressed in the EIA report.

Additionally, the article *“Kidney Disease Rising in Athmallik Area of Angul District,”* dated 22nd February 2024, published in *Kalinga* (**Kindly see Annexure A/7**), reports concerns from local villagers attributing rising kidney diseases to contaminated drinking water. Residents have observed fine mineral particles and even oily substances in water sourced from tube wells at the hill’s base.

Similarly, the media report “*Odisha's Industrial Town Turns Into Death Bed Due to Pollution*” by the *ETV Bharat English Team*, dated 24th December 2023 (**Kindly see Annexure A/8**), exposes the severe environmental and health hazards resulting from unchecked industrial pollution. The report states:

“The dust particles and ash residues floating in the air due to emissions from trucks and heavy vehicles ended up settling on water bodies, agricultural fields, and houses, causing a health hazard for local residents.”

It further details how rising air pollution in the region exposes communities to life-threatening health risks, including cardio-respiratory diseases, bronchitis, pneumonia, and other cardiovascular ailments.

These documented reports highlight serious public health concerns stemming from industrial and mining activities in the area and underscore the EIA/EMP report’s failure to address these critical issues. This negligence reflects a lack of diligence in baseline data collection and the preparation of the EIA/EMP report, indicating a careless approach toward a matter of significant public interest.

In light of these deficiencies, the Environmental Impact Assessment (EIA) is unfit for acceptance, and the impugned EC must be rejected.

26. It is of utmost significance to highlight that in the case of *Hanuman Laxman Aroskar vs. Union of India*, the Hon’ble Supreme Court held:

“56. The 2006 Notification embodies the notion that the development agenda of the nation must be carried out in compliance with norms stipulated for the protection of the environment and its complexities. It serves as a balance between development and protection of the environment: there is no trade-off between the two. The protection of the environment is an essential facet of development. It cannot be

reduced to a technical formula. The notification demonstrates an increasing awareness of the complexities of the environment and the heightened scrutiny required to ensure its continued sustenance, for today and for generations to come. It embodies a commitment to sustainable development. In laying down a detailed procedure for the grant of an EC, the 2006 Notification attempts to bridge the perceived gap between the environment and development.”

27. In the present Appeal, I, as the appellant, reiterate that the Expert Appraisal Committee (EAC) of R/1 MoEF&CC, even after complaint, has merely relied on an undertaking provided in Form-1 by the INTERVENER's EIA consultant and project proponent (R/2 in the Appeal), neglecting the diligent verification of the technical aspects that were essential for the appraisal process. As a result, the appraisal process lacks scientific rigor and was conducted inadequately. Consequently, the EC granted is flawed and lacks merit, thus cannot be deemed valid.

28. As previously submitted, Form-1 contains the statement: *“The data and information given in the application and enclosures are true to the best of my knowledge and belief, and I am aware that if any part of the data and information is found to be false or misleading at any stage, the project will be rejected and any clearance given to the project will be revoked at our risk and cost.”* The failure to meet this requirement should have prompted R/1 in the Appeal to take appropriate action and invalidate the impugned EC.

29. I say and most respectfully submit that no part of this Counter Affidavit should be construed as an admission of any kind, unless explicitly stated to that effect. I further affirm that the contents of the captioned Appeal and I.A. No. 38 (EZ) OF 2024 is reiterated and reaffirmed as correct.

30. In light of the submissions and evidence demonstrating the the role of the INTERVENER in procuring the impugned EC, the absence of any agreement granting the INTERVENER entitlement or assigning any role following the issuance of the EC, the issuance of contradictory Work Order by the INTERVENER, its agreements with R/2 in the Appeal, its blatant failure to produce the EIA report based on the ToR approved by R/1 in the Appeal, and the submission of numerous glaring inconsistencies in its filings, inappropriate document, and false claims in the I.A. No. 97/2024/EZ, I, the Appellant, respectfully pray before the Hon'ble Apex Green Court of the Country to reject the instant I.A. and pass an order in favour of the Appeal.

Place: Balangir

Dated: 12.01.2025


(APPELLANT)

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
APPEAL NO. 07 (EZ) OF 2024
[I.A. No. 38 (EZ) OF 2024 and I.A. No. 97 (EZ) OF 2024]**

IN THE MATTERS OF

Sanjaya Kumar Mishra

...APPELLANT

VERSUS

Ministry of Environment, Forest and Climate Change & Anr.

...RESPONDENTS

AND

Subhadra Coal Mining Limited

...APPLICANT/INTERVENOR

VERSUS

Sanjaya Kumar Mishra

...RESPONDENT

AFFIDAVIT

I, Sanjaya Kumar Mishra, Advocate (Enrolment No. O-1047/2011), S/o Shri Nilamani Mishra, Maszid Chowk, Tikrapara, Balangir 767001 (Odisha), do hereby solemnly affirm and declare as under: -

- 1) That I am the Appellant in the Appeal No. 07 (EZ) OF 2024 with I.A. No. 38 (EZ) OF 2024.
- 2) That I am filing this Counter Affidavit against I.A. No. 97 (EZ) OF 2024.
- 3) That I am fully conversant with the facts of the case and I am fully competent to sign and swear this Affidavit.
- 4) That the contents of the accompanying Counter Affidavit be read as part and parcel of this Affidavit as the same are not repeated herewith for the sake of brevity.

Sanjaya Kumar Mishra
DEPONENT

VERIFICATION:

Verified at Balangir on this 12th Day of January 2025 that the contents of the above Affidavit are true and correct to the best of my knowledge and nothing material has been concealed therefrom.



ATTESTED

RAM NIWAS MALIK, ADVOCATE
NOTARY, GURUGRAM (HR.) INDIA

Sanjaya Kumar Mishra
DEPONENT

ANNEXURE A/1

MINUTES OF 21st MEETING OF THE EXPERT APPRAISAL COMMITTEE FOR ENVIRONMENT APPRAISAL OF COAL MINING PROJECTS HELD ON 27th OCTOBER, 2021 THROUGH VIDEO CONFERENCE.

Wednesday, 27th October, 2021

Confirmation of the Minutes of 20th Meeting of the EAC (Coal) held on 13-14 October, 2021: The minutes of the 20th meeting of the EAC held during 13-14 October, 2021 was confirmed by the Chairman.

Opening Remarks of the Chairman: At the outset, the Chairman welcomed the Expert members & other participants and requested to start the proceeding as per the agenda adopted for this meeting.

Consideration of Proposals: The 21st meeting of the Expert Appraisal Committee (EAC) for coal mining projects was held on 27th October, 2021 through video conferencing with support NIC team due to Covid-19 lockdown. The EAC considered proposals as per agenda adopted for the meeting. List of participant attended the meeting is annexed. The details of deliberations held & decisions taken in the meeting are as under.

Agenda No. 21.1

Subhadra Open Cast Mine with production capacity of 25 MTPA in mine lease area of 1111.85 ha of M/s Mahanadi Coal field Limited located at Village Gopal Prasad, Kumuda, Nisha, Kankarei, Raijharan, Nisha P.S Angul, Tehsil Tachler Sadar and Chhendipada, District Angul (Odisha) - For Terms of Reference- reg

[Online proposal No. IA/OR/CMIN/232524/2021; F No. IA-J-11015/72/2021- IA-II(M)]

21.1.1 The proposal is for Terms of Reference of Subhadra Open Cast Mine with production capacity of 25 MTPA in mine lease area of 1111.85 ha of M/s Mahanadi Coal field Limited located at Village Gopal Prasad, Kumuda, Nisha, Kankarei, Raijharan, Nisha P.S Angul, Tehsil Tachler Sadar and Chhendipada, District Angul (Odisha)

21.1.2 Details of the proposal, as ascertained from the proposal documents and as revealed from the discussions held during the meeting, are given as under:

- (i) The project area is covered under Survey of India Topo sheet No: F45Z13 & F45T1 on RF 1:50,000 and is bounded by the geographical coordinates ranging from latitude 20°55'56.225" to 20°58'47.344" N and longitudes 84° 58'42.383" to 85° 0'50.476" E.
- (ii) Coal linkage of the project: Basket Linkage to consumer all over India
- (iii) No Joint venture cartel has been formed.

- (iv) Project does not fall in the Critically Polluted Area (CPA) where the MoEF&CC vide its OM dated 13th January 2010 has imposed moratorium on grant of environment clearance.
- (v) Employment generation: 2108 manpower will be deployed which will provide direct employment and other near about 5,000 people will also be attracted to an economically resurgent area providing service/education etc.
- (vi) The project is reported to be beneficial in terms of
- Improvement in physical Infrastructure and infrastructure like roads, school building, provision of drinking water, community hall, plantation etc.
 - Increase in employment Potential.
 - Contribution of Direct tax, sales tax, Royalty etc to the National Exchequer.
 - Overall economic growth of the country.
- (vii) Total mining lease area as per block allotment is 1111.85 Ha. Mining plan (including Progressive Mine closure plan) has been approved by the MCL Board vide letter no. MCL/SBP/CS/BD-235/Exct/2021/111767 dt- 07.06.2021.
- (viii) The land usage pattern of the project is as follows:

Pre-mining land use details (Area in Ha)

S. No.	Land Use	Within ML Area	Outside ML Area	Total
1	Agricultural Land	800.50	--	800.50
2	Forest Land	125.24	--	125.24
3	Wasteland	92.64	--	92.64
4	Grazing Land	58.67	--	58.67
5	Surface Water Bodies	6.28	--	6.28
6	Settlement	0.00	--	0.00
7	Others(specify)	28.27	--	28.27
8	Old Excavation Area(East Quarry)	NA	--	NA
9	Old Excavation Area(West Quarry)	NA	--	NA
10	Old OB Dumps	NA	--	NA
11	Roads and Mine Infrastructure	0.25	--	0.25
12	R&R colony	NA	--	NA
13	Staff Colony	NA	--	NA
14	Green belt	NA	--	NA
15	Balance Area	0.00	--	0.00
	Total Project Area	1111.85		1111.85

Post Mining

		Land use (Ha)
--	--	---------------

SI No	Land Use	Plantation/ Agriculture	Water Body	Public Use	Undisturbed	Total
1	External OB Dump	24.17	--	--	--	24.17
2	Top Soil dump	8.97	--	--	--	8.97
3	Excavation	715.24	--	--	130.68	845.92
4	Roads	--	--	15.72	--	15.72
5	Built- up Area	117.26	--	37.35	--	154.61
6	Green Belt	6.89	--	--	--	6.89
7	Undisturbed Area	--	--	--	--	0.00
8	Safety Zone Rationalization Area	11.79	--	--	--	11.79
9	Diversion/Below River/Nala/Canal	--	--	8.42	--	8.42
10	Water Body	--	35.36	--	--	35.36
11	Staff Colony	--	--	--	--	0.00
	Total Area	884.32	35.36	61.49	130.68	1111.85

- (ix) Total geological reserve reported in the mine lease area is 1108.39 Mt with 791.04 Mt as mineable reserves. Out of total mineable reserve of 791.04 Mt, 768.83 Mt are available for extraction. Percent of extraction is 97.19%.
- (x) 9 seams with thickness ranging from 0.13 to 35.26 are workable. Grade of Coal is G-13, Stripping ratio is 0.93 while average gradient is 3.480
- (xi) Method of mining operations envisaged by Opencast Mining Method Coal winning by Surface Miner, pay loader & tipper and OB removed by Shovel-Dumper combination.
- (xii) Life of mine is 36 years (as on 1.04.2022)
- (xiii) The project has one temporary external OB dumps in an area of 24.17 ha with 30 m height and 103.72 Mm³ of OB which will be re-handled and simultaneously backfilled into the de-coaled area (internal OB dumping). An area of 715.24 ha is proposed for internal OB dump. Total 716.90 Mm³ of OB material is envisaged for backfilling in internal OB dump.
- (xiv) Total quarry area is 881.28 ha out of which backfilling will be done in 715.24 ha while final mine void will be created in an area of 35.36 ha with a depth of 30m. Backfilled quarry area of 715.24 Ha shall be reclaimed with plantation/grass/agriculture.
- (xv) Transportation of coal has been proposed by tippers /pay loader in mine pit head, from surface to siding by close conveyor and at sidings by RLS with railway.
- (xvi) Reclamation Plan in an area of 884.32ha, comprising of 24.17 ha of temporary external

dump, 715.24 ha of internal dump, 6.89 Ha of Green Belt. In addition to this, an area of 138.02ha. included in the roads/infrastructure and built-up area, top soil dump has also been proposed for green belt development.

- (xvii) 125.24 ha of forest land has been reported to be involved in the project.
- (xviii) No National Parks, Wildlife Sanctuaries and Eco-Sensitive Zones have been reported with 10km boundary of the project.
- (xix) The range of ground water is varying between 3.42mbgl to 10.12mbgl during the pre-monsoon in core zone and between 2.25mbgl to 10.90mbgl in buffer zone. During the post monsoon period it is varying between 1.17mbgl to 5.00mbgl in core zone and between 2.15mbgl to 7.80mbgl in buffer zone. Total water requirement for the project is 5.525MLD
- (xx) The seasonal nallah, Ghurudia Nallah is flowing within the mine boundary and Singhada Jhor in extreme north boundary of the mine. It is planned for diversion of Guhuridia Nallah in the eastern boundary of the mine and Singhada Jhor will be straighten in north boundary.
- (xxi) No court cases, violation cases are pending against the project of the PP.
- (xxii) The project does not involve violation of the EIA Notification, 2006 and amendment issued there under.
- (xxiii) The project involves 1425project affected families. R&R of the PAPs will be done as per Orissa Rehabilitation and Resettlement Policy 2006.
- (xxiv) Total cost of the project is Rs. 3955.65 Cr. Cost of production is Rs.678.00 per tonne, CSR cost is Rs.2.00 per tonne or 2% of the average net profit of the Company of the three immediately preceding financial years whichever is higher. R&R cost is Rs.405.46 crores. Environment Management Cost is Rs 76.12crores.

20.1.3 The EAC during deliberations noted the following:

The proposal is for Terms of Reference of Subhadra Open Cast Mine with production capacity of 25 MTPA in mine lease area of 1111.85 ha of M/s Mahanadi Coal field Limited located at Village Gopal Prasad, Kumuda, Nisha, Kankarei, Rajjharan, Nisha P.S Angul, Tehsil Tachler Sadar and Chhendipada, District Angul (Odisha)

- Earlier, MoC vide their letter No 13016/19/2003-CB-CA-I dated 29.11.2005 allocated combined block consisting of Utkal-A and western part of Gopal prasad (W) blocks jointly to M/s Mahanadi Coalfields Limited (MCL), JSW Steel Ltd. M/s Jindal Thermal Power Company Ltd.(JTPCL), Jindal Stainless Steel Ltd. and M/s Shyam DRI Ltd.
- However, Hon'ble Supreme Courts vide their verdict in Aug/Sept 2014 cancelled all the coal blocks including Utkal-A coal block.
- MoC vide their letter No. CBA2-13011/1/2017-CBA2 dated 6th April 2018 asked CIL/CMPDIL to take action for peak rated capacity of 25 MTPA for joint working on Utkal-A and west of Gopalprasad west block and approval of MCL Board thereon. The proposal for Peak rated capacity of 25 MTPA was approved by MCL Board in its 203rd meeting held on 06.08.2018.

- MoC vide their OM No CBA2-13011/1/2017-CBA2 dated 03.10.2018 informed the direction of Central Govt. to Nominated Authority for allocation of Utkal-A coal block under Rule 8(2)(a)(ii) and Rule 11(1) of the Coal Mines (Special Provision) Rule 2014 issued on dated 11.09.2019. MCL also informed vide their letter No 539-H dated 26.09.2019 that the name of the Project to be kept as Subhadra OCP, 25 MTPA
- The area as per the block allotment is 1144.90 Ha and as per the Mining plan is 1111.85 Ha.
- The diversion of 8.90 km Ghuridia Nallah in the eastern boundary of the mine and also Singhada Jhor of 1.17 km is proposed to be straighten for 1.08 in north boundary.
- Project involves Forest land of 125.24 Ha for in mine lease for diversion of non-forestry activity. It was informed that application of Forest Clearance yet to be applied.
- 10 villages are located within the mine lease and will be affected due to proposed mine activities
- Total estimated water requirement is 5.11 MLD.

20.1.4 *The EAC observed that proposal is greenfield coal mine proposed by merging two blocks of Utkal A and west of Gopalprasad West Block and from kml files that the Ghurdia stream (proposed length 8.9 km- to be diverted by south and east of quarry for about 5.4 Km) found to be distracted in nearby Hingula mine, is now originating within the Bharatpur mine site. It needs a proper hydrological mapping/survey with catchment area, flow of the stream etc, to be diverted in view of its destruction in upstream catchment area by conducting primary survey since all these streams joining Brahmini River (a major source of water in the region). It to be ascertained that due to diversion of streams due to other mines in the area, impact of water availability in the river. All the details regarding drainage pattern, hydrology and restoration of these streams shall be included in EIA/EMP report as a separate chapter. EAC also advised consultant not to use term/write for any streams as Nalla*

EAC also asked PP that Forest or the green patch towards the North eastern boundary will not be disturbed and the Singhada Jhor stream being perennial rivulet in the zone should not be diverted for at least 20 years. Accordingly, a distance of about 60 mts along Singhada stream shall be left to avoid any pollution, thus the Mine plan shall be revisited/relooked. The PP informed that as per the mine closure plan the field will be reclaimed as agricultural land by labelling the entire area and only a small void will be left towards North west as a reservoir. In the background of said points and considering that project is of green field project, The EAC also suggested to review over the capacity of dumper (from 150 tonnage to 250 tonnage) to be used for transportation of OB dump within the mine lease in order to combat the pollution due to vehicular moment. The PP was not able to provide the proposed monitoring location for collecting.

Also, during the presentation, EAC was disappointed with the consultant M/s CMPDIL and its repeated mistakes in the presentation and asked to come prepared with all the requirements for ToR since projected location of monitoring interms of air, water and noise quality was not produced.

*The EAC, after deliberation, **recommends** for grant of Terms of Reference to Subhadra Open Cast*

Mine with production capacity of 25 MTPA in mine lease area of 1111.85 ha of M/s Mahanadi Coal field Limited located at Village Gopal Prasad, Kumuda, Nisha, Kankarei, Rajharan, Nisha P.S Angul, Tehsil Tachler Sadar and Chhendipada, District Angul (Odisha), under the provisions of EIA Notification, 2006 and its amendments therein with specific conditions mentioned below:

- (i) Public Consultation, including public hearing, shall be conducted through concerned SPCB as per the provisions/procedure contained in the EIA Notification, 2006 for information of the stakeholders about the present coal mining operations inviting comments and their redressal. All the issues raised and PP reply should be incorporated in EIA.*
- (ii) PP shall not divert the Singhada Jhor stream and will not disturbed the forest area or green patch located towards North eastern boundary for next 20 years of the mine life. Adequate protection measures shall be proposed in EIA Report.*
- (iii) A detailed hydrological survey of the Ghurdia nallah/Stream, regarding its catchment area, flow volume and length of the stretch to be diverted to be provided with proper diversion plan in EIA/EMP report.*
- (iv) A water reservoir and forest area is located towards South West directions so the extra measure adopted for combating the pollution should be mentioned in EIA/ EMP report.*
- (v) PP shall clarify the area of the project interms of allotment of block from MoC and Mine Plan. Further, PP shall reduce the area of project by excluding the green patch towards the North eastern boundary.*
- (vi) PP shall submit alternate land for grazing purpose with water bodies of same area within 5 km of project area.*
- (vii) Stage-I Forest Clearance for diversion for non-forestry activity shall be submitted.*
- (viii) PP shall prepare the Mining Plan in such a manner that condition prescribed by EAC shall intact from environment point of view. EIA-EMP shall accordingly be prepared on the suggested stipulation with point-wise compliance & in accordance with recommendations of Mining Plan*
- (ix) PP should submit the real time aerial footage and video of the Mining lease area made through drone with a special focus on the area adjacent to the rivers.*
- (x) In addition to existing data already collected (if any), the Cumulative Impact Assessment Study, ecosystem services study and biodiversity study of the area shall be carried over by project proponent. PP shall collect one season baseline data of all environmental parameters and shall compare with the data of earlier data collected for cumulative assessment of area. Air pollution impact predication shall be conducted by considering the maximum values.*
- (xi) PP shall explore the possibilities of utilization of OB material for different purposes (in construction of roads, manufacture of artificial sand, aggregates, use for farmers etc.) and accordingly Plan shall be included in EIA/EMP Report.*
- (xii) PP shall submit design details of all Air Pollution control equipment (APCEs) to be implemented as part of Environment Management Plan vis-à-vis reduction in concentration of emission for each APCEs.*
- (xiii) Inpit conveyor belt with silo loading should be proposed and installed for transportation of coal till railway siding. No transportation of coal by trucks/dumpers shall be proposed in EIA/EMP.*

- (xiv) *No trucks or vehicles used for transportation of Coal to be passed by village roads or roads located near to the villages*
- (xv) *The PP had proposed few roads in the Form -1 while filling application for ToR appraisal. Accordingly, PP has to adopt the adequate route or dedicated route causing least hindrance to existing traffic and its budgetary provision should also be provided in EIA report.*
- (xvi) *PP to engage the adequate capacity of dumper size/trucks in order to reduce the fleet size.*
- (xvii) *PP shall submit detailed project report for implementation of railway siding for evacuation of coal with its target date of completion. Target date should be such that railway siding should be operational within 2 years of commissioning of mine operations. Forest Clearance shall be submitted if railway siding land comes under forest land.*
- (xviii) *Wind rose pattern in the area should be reviewed and accordingly location of AAQMS shall be planned by the collection of air quality data. Monitoring location for collecting baseline data should cover overall the 10 km buffer zone i.e. dispersed in 10 km buffer area.*
- (xix) *Project proponent to prepare Environmental Cost Benefit Analysis for the project in EIA/EMP Report.*
- (xx) *PP shall provide the details of mining technology/methodology proposed to be adopted for coal mining operations and its associated environmental benefits of using from Climate Change perspective by i.e. the likely emissions of greenhouse gases from the mining operations to be estimated with the modelling for future prediction related to the climate of that study area.*
- (xxi) *Detailed Social Impact Assessment shall be prepared in villages for Rehabilitation and Re-settlement. R &R Activity shall be proposed with timeline and allotted fund with the approval of District Commissioner/collector.*
- (xxii) *Permission for ground water withdrawal shall be obtained from Central Ground Water Authority (CGWA) only for mining activity.*
- (xxiii) *Heavy metals including other parameters in surface water quality shall be analyzed and provided in EIA Report. Further, detailed mineralogical and chemical composition of the mineral and percentage of free silica from a NABL/MoEF&CC accredited laboratory*
- (xxiv) *PP shall be submitting R &R in respect of SCs /STs and other weaker sections of the society in the study area, a need based sample survey, family-wise, should be undertaken to assess their requirements, and action programs prepared and submitted accordingly, integrating the sectoral programmes of line departments of the State Government.*
- (xxv) *PP should clearly bring out that what is the specific diesel consumption ~ (Liters/Tonne of total excavation & mineral) and steps to be taken for reduction of the same. Year-wise target for reduction in the specific diesel consumption needs to be submitted.*
- (xxvi) *PP shall provide provision of integrated mine plan and mine reclamation cum land form / land scape plan for both underground and open cast coal mining projects. The plan must show the predicted post mining reclaimed and reformed surface by regarding and reshaping to reduce its height as close to the original surface level and proper sloping benching and terracing of external dump should be clearly brought out in the post mine closure plan. This would also include water management strategies such as surface water catchment and drainage paths etc. of post mining land surface. The final mine void shall be reduced and brought as near as ground so that land can be restored and reclaimed*

- (xxvii) PP shall propose to use LNG/CNG based mining machineries and trucks for mining operation and transportation of coal.
- (xxviii) PP shall submit letter from PCCF that mine does not fall under corridors of any National Park and Wildlife Sanctuary and does not involve any violation of forest area and wild sanctuary with certified map showing distance of nearest sanctuary
- (xxix) Details of toe wall and garland drain to be constructed along the OB dump.
- (xxx) Reclamation to be done using geo-texturing technique of the dumps close to habitation and a cause of visual intrusion.
- (xxxi) Impact of proposed project/activity on hydrological regime of the area shall be assessed and report be submitted. Hydrological studies as per GEC 2015 guidelines to be prepared and submitted.
- (xxxii) PP should bring out the awareness campaign to be carried out on various Environmental issues, practical training facility to be provided to the environmental engineer/diploma holders, mining engineer/diploma holders, geologists, and other trades related to mining operations. Target for the same needs to be submitted.
- (xxxiii) Details of Fog mist sprayer (static water sprinklers) at coal stock yard and along the permanent haul road.
- (xxxiv) Details of black topping of permanent haul roads.
- (xxxv) The PP should submit the photograph of monitoring stations & sampling locations. The photograph should bear the date, time, latitude & longitude of the monitoring station/sampling location. In addition to this PP should submit the original test reports and certificates of the labs which will analyze the samples.
- (xxxvi) The socio-economic study to be conducted with actual survey report and a comparative assessment to be provided from the census data of 2011-part B to be provided in EIA/ EMP report also economic status of the study area and what economically project will contribute should be clearly mention. The study should also include the status of infrastructural facilities and amenities present in the study area and a comparative assessment with census data of 2011 part A to be provided and to link it with the initialization and quantification of need based survey for CSR activities to be followed.
- (xxxvii) A detailed traffic study along with presence of habitation in 100 mts distance from both side of road, the impact on the air quality with its proper measures and plan of action with timeline for widening of road. The project will increase the no. of vehicle along the road which will indirectly contribute to carbon emission so what will be the compensatory action plan should be clearly spell out in EIA/ EMP report

Agenda No. 21.2

Expansion of Bharatpur Opencast Coal Mine Project from 20 to 26 MTPA with increase in ML area from 927.42 Ha to 1556.94 Ha of M/s Mahanadi Coalfields limited located at village Lachhmanpur, Baideswar, Jamubahal, Pabitrapur, Anantaberani, Padmabatipur, Dasarathipur, Nakeipasi (part), Danra (part), Rakas (part), Chintamanipur, Saranga, Khajuria, kishorechandrapur, Teleipasi, Tehsil Talcher Sadar, District Angul (Odisha)- For Terms of

INTERNATIONAL
STANDARD

ISO/IEC
17025

Third edition
2017-11

**General requirements for the
competence of testing and calibration
laboratories**

*Exigences générales concernant la compétence des laboratoires
d'étalonnages et d'essais*



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7.8.2 Common requirements for reports (test, calibration or sampling)

7.8.2.1 Each report shall include at least the following information, unless the laboratory has valid reasons for not doing so, thereby minimizing any possibility of misunderstanding or misuse:

- a) a title (e.g. "Test Report", "Calibration Certificate" or "Report of Sampling");
- b) the name and address of the laboratory;
- c) the location of performance of the laboratory activities, including when performed at a customer facility or at sites away from the laboratory's permanent facilities, or in associated temporary or mobile facilities;
- d) unique identification that all its components are recognized as a portion of a complete report and a clear identification of the end;
- e) the name and contact information of the customer;
- f) identification of the method used;
- g) a description, unambiguous identification, and, when necessary, the condition of the item;
- h) the date of receipt of the test or calibration item(s), and the date of sampling, where this is critical to the validity and application of the results;
- i) the date(s) of performance of the laboratory activity;
- j) the date of issue of the report;
- k) reference to the sampling plan and sampling method used by the laboratory or other bodies where these are relevant to the validity or application of the results;
- l) a statement to the effect that the results relate only to the items tested, calibrated or sampled;
- m) the results with, where appropriate, the units of measurement;
- n) additions to, deviations, or exclusions from the method;
- o) identification of the person(s) authorizing the report;
- p) clear identification when results are from external providers.

NOTE Including a statement specifying that the report shall not be reproduced except in full without approval of the laboratory can provide assurance that parts of a report are not taken out of context.

7.8.2.2 The laboratory shall be responsible for all the information provided in the report, except when information is provided by the customer. Data provided by a customer shall be clearly identified. In addition, a disclaimer shall be put on the report when the information is supplied by the customer and can affect the validity of results. Where the laboratory has not been responsible for the sampling stage (e.g. the sample has been provided by the customer), it shall state in the report that the results apply to the sample as received.

7.8.3 Specific requirements for test reports

7.8.3.1 In addition to the requirements listed in [7.8.2](#), test reports shall, where necessary for the interpretation of the test results, include the following:

- a) information on specific test conditions, such as environmental conditions;
- b) where relevant, a statement of conformity with requirements or specifications (see [7.8.6](#));

ISO/IEC 17025:2017(E)

- c) where applicable, the measurement uncertainty presented in the same unit as that of the measurand or in a term relative to the measurand (e.g. percent) when:
 - it is relevant to the validity or application of the test results;
 - a customer's instruction so requires, or
 - the measurement uncertainty affects conformity to a specification limit;
- d) where appropriate, opinions and interpretations (see [7.8.7](#));
- e) additional information that may be required by specific methods, authorities, customers or groups of customers.

7.8.3.2 Where the laboratory is responsible for the sampling activity, test reports shall meet the requirements listed in [7.8.5](#) where necessary for the interpretation of test results.

7.8.4 Specific requirements for calibration certificates

7.8.4.1 In addition to the requirements listed in [7.8.2](#), calibration certificates shall include the following:

- a) the measurement uncertainty of the measurement result presented in the same unit as that of the measurand or in a term relative to the measurand (e.g. percent);

NOTE According to ISO/IEC Guide 99, a measurement result is generally expressed as a single measured quantity value including unit of measurement and a measurement uncertainty.
- b) the conditions (e.g. environmental) under which the calibrations were made that have an influence on the measurement results;
- c) a statement identifying how the measurements are metrologically traceable (see [Annex A](#));
- d) the results before and after any adjustment or repair, if available;
- e) where relevant, a statement of conformity with requirements or specifications (see [7.8.6](#));
- f) where appropriate, opinions and interpretations (see [7.8.7](#)).

7.8.4.2 Where the laboratory is responsible for the sampling activity, calibration certificates shall meet the requirements listed in [7.8.5](#) where necessary for the interpretation of calibration results.

7.8.4.3 A calibration certificate or calibration label shall not contain any recommendation on the calibration interval, except where this has been agreed with the customer.

7.8.5 Reporting sampling – specific requirements

Where the laboratory is responsible for the sampling activity, in addition to the requirements listed in [7.8.2](#), reports shall include the following, where necessary for the interpretation of results:

- a) the date of sampling;
- b) unique identification of the item or material sampled (including the name of the manufacturer, the model or type of designation and serial numbers, as appropriate);
- c) the location of sampling, including any diagrams, sketches or photographs;
- d) a reference to the sampling plan and sampling method;
- e) details of any environmental conditions during sampling that affect the interpretation of the results;

f) information required to evaluate measurement uncertainty for subsequent testing or calibration.

7.8.6 Reporting statements of conformity

7.8.6.1 When a statement of conformity to a specification or standard is provided, the laboratory shall document the decision rule employed, taking into account the level of risk (such as false accept and false reject and statistical assumptions) associated with the decision rule employed, and apply the decision rule.

NOTE Where the decision rule is prescribed by the customer, regulations or normative documents, a further consideration of the level of risk is not necessary.

7.8.6.2 The laboratory shall report on the statement of conformity, such that the statement clearly identifies:

- a) to which results the statement of conformity applies;
- b) which specifications, standards or parts thereof are met or not met;
- c) the decision rule applied (unless it is inherent in the requested specification or standard).

NOTE For further information, see ISO/IEC Guide 98-4.

7.8.7 Reporting opinions and interpretations

7.8.7.1 When opinions and interpretations are expressed, the laboratory shall ensure that only personnel authorized for the expression of opinions and interpretations release the respective statement. The laboratory shall document the basis upon which the opinions and interpretations have been made.

NOTE It is important to distinguish opinions and interpretations from statements of inspections and product certifications as intended in ISO/IEC 17020 and ISO/IEC 17065, and from statements of conformity as referred to in [7.8.6](#).

7.8.7.2 The opinions and interpretations expressed in reports shall be based on the results obtained from the tested or calibrated item and shall be clearly identified as such.

7.8.7.3 When opinions and interpretations are directly communicated by dialogue with the customer, a record of the dialogue shall be retained.

7.8.8 Amendments to reports

7.8.8.1 When an issued report needs to be changed, amended or re-issued, any change of information shall be clearly identified and, where appropriate, the reason for the change included in the report.

7.8.8.2 Amendments to a report after issue shall be made only in the form of a further document, or data transfer, which includes the statement "Amendment to Report, serial number... [or as otherwise identified]", or an equivalent form of wording.

Such amendments shall meet all the requirements of this document.

7.8.8.3 When it is necessary to issue a complete new report, this shall be uniquely identified and shall contain a reference to the original that it replaces.

7.9 Complaints

7.9.1 The laboratory shall have a documented process to receive, evaluate and make decisions on complaints.

INTRODUCTION (1000)

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and precision limits from the mean or at least 20 data

d deviation)

d deviation)

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Application

or each analyte ting point for ing the MDL, etection level. nt to reagent

water or sample matrix to achieve the desired concentration. Ideally, prepare and analyze at least seven portions of this solution over a 3-d period to ensure that the MDL determination is more representative of routine measurements as performed in the laboratory. The replicate measurements should be in the range of one to five times the estimated MDL, and recoveries of the known addition should be between 50 and 150%, with %RSD values $\leq 20\%$. Calculate the estimated standard deviation, s , of the 7 replicates, and from a table of one-sided t distribution, select t for $(7-1) = 6$ degrees of freedom at the 99% confidence level. This value, 3.14, is then multiplied by the calculated estimate of standard deviation, s :

$$MDL = 3.14s$$

Ideally, use pooled data from several analysts rather than one analyst (provided, obviously, that the laboratory routinely has multiple analysts running a given test method) to estimate s .

The pooled estimate of σ , which is defined here as S_{pooled} , is a weighted average of the individual analysts' σ . S_{pooled} is calculated from the deviations from the mean of each analyst's data subset squared, which are then summed, divided by the appropriate number of degrees of freedom, and the square root determined. Using S_{pooled} to calculate multiple-analyst standard deviation allows each analyst's error and bias to affect the final result only as much as they have contributed to that result.¹

$$S_{pooled} = \left[\frac{\sum_{i=1}^{N_1} (X_i - \bar{X}_1)^2 + \sum_{j=1}^{N_2} (X_j - \bar{X}_2)^2 + \sum_{k=1}^{N_3} (X_k - \bar{X}_3)^2 + \dots}{N_1 + N_2 + N_3 \dots - N_t} \right]^{1/2}$$

Perform MDL determinations iteratively. If the calculated MDL is not within a factor of 10 of the known addition, repeat determinations at a more suitable concentration. Ideally, conduct MDL determinations at least annually (or other specified frequency) for each analyte, major matrix category, and method in use at the laboratory. Perform or verify MDL determination for each analyst and instrument, as well as whenever significant modifications to the method's instruments or operating conditions also modify detection or chemistry. Include all sample-preparation steps in the MDL determination.

Generally, apply the MDL to reporting sample results as follows (unless there are regulatory or client constraints to the contrary):

- Report results below the MDL as "not detected" (ND), LRL (MRL, MQL, LOQ, etc.).
- Report results between the MDL and MQL with qualification for the quantified value given.
- Report results above the MQL with a value and its associated error.

5. Reagent Blank

A *reagent blank* (method blank) consists of reagent water (see Section 1080) and all reagents (including preservatives) that normally are in contact with a sample during the entire analytical procedure. The reagent blank is used to determine whether and

QUALITY ASSURANCE (1020)/Quality Control

how much reagents and the preparative analytical steps contribute to measurement uncertainty. As a minimum, include one reagent blank with each sample set (batch) or on a 5% basis whichever is more frequent. Analyze a blank after the daily calibration standard and after highly contaminated samples if carryover is suspected. Evaluate reagent blank results for contamination. If unacceptable contamination is present in the reagent blank, identify and eliminate the source. Typically, sample results are suspect if analyte(s) in the reagent blank are greater than the MQL. Samples analyzed with a contaminated blank must be re-prepared and re-analyzed. Refer to the method choice for specific reagent-blank acceptance criteria. General guidelines for qualifying sample results with regard to reagent blank quality are as follows:

- If the reagent blank is less than the MDL and sample results are greater than the MQL, then no qualification is required.
- If the reagent blank is greater than the MDL but less than the MQL and sample results are greater than the MQL, then qualify the results to indicate that analyte was detected in the reagent blank.
- If the reagent blank is greater than the MQL, further corrective action and qualification is required.

6. Laboratory-Fortified Blank/Laboratory Control Standard

A *laboratory-fortified blank* [laboratory control standard (LCS)] is a reagent water sample (with associated preservative) to which a known concentration of the analyte(s) of interest has been added. An LFB is used to evaluate laboratory performance and analyte recovery in a blank matrix. Its concentration should be high enough to be measured precisely, but not high enough to be irrelevant to measured environmental concentrations. Frequently, rotate LFB concentrations to cover different parts of the calibration range. As a minimum, include one LFB with each sample set (batch) or on a 5% basis, whichever is more frequent. (The definition of a batch is typically method-specific.) Perform the LFB through all sample preparation and analysis steps. Add an added concentration of at least 10 times the MDL, level or equal to the midpoint of the calibration curve, or level specified in the method. Ideally, the LFB concentration should be greater than the MCL (if the contaminant has an MCL). Depending on the method's specific requirements, prepare the addition from either the same reference source used for calibration or from an independent source. Evaluate the LFB for performance by comparing results to specified limits, control charts, or other approved criteria. If results are out of control, take corrective action, including re-preparation and re-analysis of associated samples if appropriate. Use LFB results to evaluate batch performance, calculate recovery limits, and plot control charts (see ¶ 13 below).

7. Laboratory-Fortified Matrix

A *laboratory-fortified matrix* (LFM) is an additional sample to which a known amount of the analyte(s) of interest is added before sample preparation. Some analytes are not appropriate for LFM analysis; see tables in Sections 2C.5020, 6020, and specific methods for guidance on when LFM is relevant.



National Accreditation Board for Testing and Calibration Laboratories (NABL)

Policy for Use of NABL Symbol and / or Claim of Accreditation by Accredited Conformity Assessment Bodies (CAB) & NABL Accredited CAB Combined ILAC MRA Mark

ISSUE NO.:09
ISSUE DATE:13-Dec-2019

AMENDMENT NO.: 02
AMENDMENT DATE: 30-Apr-2020

AMENDMENT SHEET

S. No.	Page No.	Clause No.	Date of Amendment	Amendment	Reasons	Signature QA Team	Signature CEO
1.	15	Appendix A, S. No. N	10-Feb-2020	Typographical error corrected	Typographic error	-Sd-	-Sd-
2.	5	5.1	30-Apr-2020	Clarification in Policy for use of NABL symbol	Comments received from CABs during lab conclave, through various emails and meeting at secretariat.	-Sd-	-Sd-
3.	5	5.3		Included the information regarding applicability of ILAC MRA Mark and condition when permission will not be granted.	In line with requirements of ILAC R7		
4.	6	6.2		Clarification in Policy for use of NABL symbol	Comments received from CABs during lab conclave, through various emails and meeting at secretariat.		
5.	6	6.7		Clarification included about symbol not permitted	Comments received from CABs during lab conclave, through various emails and meeting at secretariat.		
6.	9	8.6		NABL activity shifted to clause 5.3	In line with requirements of ILAC R7		
7.	11	10		'NABL' word included	Internal review		
8.	14	Appendix A, condition B		Following statement deleted 'NABL Accredited CAB shall use NABL Accredited CAB Combined ILAC MRA Mark in economies where the ILAC MRA Mark is registered, or where an application for registration has been lodged and registration is pending	In line with requirements of ILAC R7		
9.							
10.							

National Accreditation Board for Testing and Calibration Laboratories				
Doc. No.: NABL 133		Policy for Use of NABL Symbol and / or Claim of Accreditation by Accredited Conformity Assessment Bodies (CAB) & NABL Accredited CAB Combined ILAC MRA Mark		
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1. Introduction

An accredited Conformity Assessment Body {Testing Laboratory / Medical testing Laboratory / Calibration Laboratory / Proficiency Testing Provider (PTP) / Reference Material Producer (RMP)} can make reference to its accreditation status in the test report / certificate, medical test report / certificate, calibration certificate / report, PT report and RM document.

Accreditation entitles the CABs to endorse the relevant document by using the NABL symbol and / or claim of accreditation, in accordance with NABL policy. Such endorsed documents can enjoy wide acceptance nationally and also internationally through the APAC and / or ILAC Mutual Recognition Arrangement (MRA).

Use of the Accredited CAB Combined ILAC MRA Mark on endorsed CAB reports reinforces such acceptance. ILAC is the owner of the ILAC MRA Mark and has licensed the use of the ILAC MRA Mark to NABL in accordance with the terms of the ILAC MRA Mark Agreement, pursuant to which NABL has developed the NABL Accredited CAB Combined ILAC MRA Mark.

2. Scope

This document specifies NABL policy and the Instructions for–

- 2.1 Use of NABL Symbol and / or Claim of Accreditation by NABL Accredited Conformity Assessment Bodies. The policy has been established in line with ILAC-P8:03/2019 ‘ILAC Mutual Recognition Arrangement (Arrangement): Supplementary Requirements for the Use of Accreditation Symbols and for Claims of Accreditation Status by Accredited Conformity Assessment Bodies’. This document sets out the conditions for the use of NABL Symbol and also details NABL policy on any claim of accreditation by CABs apart from the use of NABL symbol.
- 2.2 Use of NABL Accredited CAB Combined ILAC MRA Mark developed in line with ILAC-R7:05/2015 “Rules for the Use of the ILAC MRA Mark”.

3. NABL Logo

- 3.1 Pictorial representation of NABL logo is depicted below:



- 3.1.1 NABL logo is confined for the use by NABL only.

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4. NABL Symbol

4.1 **For Testing Laboratory:** Pictorial representation of NABL symbol to be used by NABL accredited testing laboratory is depicted below, where TC-XXXX is the Accreditation Certificate Number:



TC- XXXX

4.2 **For Calibration Laboratory:** Pictorial representation of NABL symbol to be used by NABL accredited Calibration laboratory is depicted below, where CC-XXXX is the Accreditation Certificate Number:



CC- XXXX

4.3 **For Medical Testing Laboratory:** Pictorial representation of NABL symbol to be used by NABL accredited medical testing laboratory is depicted below, where MC-XXXX is the Accreditation Certificate Number:



MC- XXXX

4.4 **For Proficiency Testing Provider (PTP):** Pictorial representation of NABL symbol to be used by NABL accredited PTP is depicted below, where PC-XXXX is the Accreditation Certificate Number:



PC- XXXX

4.5 **For Reference Material Producers (RMP):** Pictorial representation of NABL symbol to be used by NABL accredited RMP is depicted below, where RC-XXXX is the Accreditation Certificate Number:



RC- XXXX

Note: Accreditation Certificate number shall be provided by NABL to accredited CAB.

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5. POLICY

5.1 For use of NABL Symbol

Use of NABL symbol is mandatory for the parameters / tests covered under NABL accredited scope on all the test report / certificate, medical test report / certificate, calibration certificate / report, PT report and RM document issued by NABL Accredited CAB. Narrative reference to accredited status in place of NABL symbol is not acceptable in test reports / calibration certificates / PT report / RM document.

NABL accreditation is location specific. The accreditation claim shall be related only to the specific CAB location that is covered under the NABL scope of accreditation, and not with any other non-accredited locations.

Separate report/certificate be issued for non-accredited parameters. Asterisk mark or any other symbol is not allowed / not permitted to use in the report / certificate containing accredited parameters. (The intent of the para is to avoid misuse of NABL symbol and not to mislead customers about accreditation status. So, NABL symbol was not allowed/ not permitted in pages and/or part of a report/certificate where non accredited parameters occur).

5.2 For Claim of accreditation

Accredited CAB can claim accreditation in narrative reference also. Where the claim of accreditation is made in a narrative reference to accredited status in publicity material, it shall be accompanied by the 'Accreditation Certificate number'.

For example, in case of testing laboratory, it shall be as

- NABL accredited testing laboratory vide certificate number TC-XXXX
- Accredited by NABL vide Certificate number TC-XXXX
- ISO/IEC 17025 Accredited Testing Laboratory by NABL vide Certificate number TC-XXXX

The claim of accredited status is not to be done on any report / certificate / document which contains non-accredited parameters.

5.3 For use of NABL Accredited CAB Combined ILAC MRA Mark

NABL Accredited CAB {Testing Laboratory / Medical testing Laboratory / Calibration Laboratory / Proficiency Testing Provider (PTP)} wishing to use 'NABL Accredited CAB Combined ILAC MRA Mark' shall obtain approval in writing from NABL and agree to the rules for the use of the Accredited CAB Combined ILAC MRA Mark.

The NABL accredited CAB shall use the NABL Accredited CAB Combined ILAC MRA Mark only after getting written permission from NABL. If any NABL accredited CAB wishes to use the NABL Accredited CAB Combined ILAC MRA Mark, they shall need to fill in the Appendix 'A'- Agreement for use of NABL Accredited CAB Combined ILAC MRA Mark and submit it to NABL.

NABL shall only grant permission to use 'NABL Accredited CAB Combined ILAC MRA Mark' to NABL accredited CABs established in economies where the ILAC MRA Mark is registered, or where an application for registration has been lodged and registration is pending.

NABL shall not permit the use of NABL Accredited CAB Combined ILAC MRA Mark to the CAB, if there is any on-going complaint against the that particular CAB,

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6. Instructions for use of NABL Symbol and / or Claim of Accreditation

- 6.1 The CAB shall have a documented procedure for -
- Use of NABL Symbol, and
 - Claiming NABL accreditation in narrative reference.
- 6.2 Use of NABL symbol is mandatory in all the reports / certificates / documents issued by accredited CABs for the parameters / tests covered under NABL accredited scope. CABs are not allowed to use NABL symbol or claim NABL accreditation status in any form for the parameters which are not covered under NABL accredited scope. The non-accredited parameters shall not be a part of the report / certificate intended to be issued under NABL symbol, if it is not clearly identified and / or segregated and kept away. Asterisk mark or any other symbol or another accreditation body symbol/logo is not allowed / not permitted to use in the report / certificate containing accredited parameters. (CABs are encouraged to include those non-accredited parameters in the accredited scope so that the customers are not misled about accreditation status).
- 6.3 The certificates and / or reports issued by the NABL accredited CAB under the valid accredited scope shall meet the relevant requirements of ISO/IEC 17025 and/or ISO 15189 and/or ISO/IEC 17043 and/or ISO 17034 and of NABL (e.g. authorization by person declared to NABL as responsible for review, report and authorization of results).
- 6.4 NABL accredited CABs shall not authorize the use of NABL Symbol by their customers, sub-contractors or any other third party. It is the responsibility of each NABL accredited CAB to describe their accredited status in a manner that does not imply accreditation in areas that are outside their actual scope of accreditation or for other testing / calibration / PTP / RMP facilities not covered under NABL accreditation and to minimize the risk of a customer / general public being misled.
- 6.5 The NABL Symbol and / or claim of accreditation shall not be used by a CAB or its franchisee / subcontractor which are not accredited by NABL.
- 6.6 The NABL Symbol and / or claim of accreditation shall only be used by NABL accredited CABs during the period when it holds valid accreditation.
- 6.7 While claiming NABL accreditation, CAB shall use NABL symbol and / or narrative reference to the claim of NABL accreditation only. Use of any other Accreditation Body symbol or mark is not permitted to be used along with NABL symbol.
- 6.8 The NABL Symbol and / or claim of accreditation shall be used by NABL accredited CAB only under the name and address, on which it holds valid accreditation.
- 6.9 When providing proof of accreditation, NABL accredited CAB shall use the Accreditation Certificate along with the scope of accreditation (i.e., to be presented in full).
- 6.10 NABL Logo or NABL Symbol or any claim of accreditation shall not be placed on the products or items, which a CAB has tested / calibrated or produced.
- 6.11 NABL Symbol and / or any claim of accreditation shall not be used in such a way as to imply that NABL accepts responsibility for activities carried out under the scope of accreditation.
- 6.12 Where the claim of accreditation is used by NABL accredited CABs in a narrative reference to accredited status, it shall always be accompanied by the 'Accreditation Certificate number', granted by NABL.

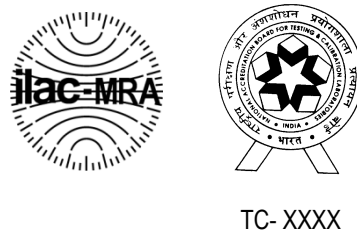
National Accreditation Board for Testing and Calibration Laboratories				
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- 6.13 There shall be nothing in report and/or certificate or in any attachment or other material, which implies or may lead any user of the results or any interested party to believe / made to believe, that the work is accredited when in fact it is not.
- 6.14 Accredited Calibration laboratory shall not issue a calibration certificate for an Equipment / Assembly / Set up / Device, until and unless it is explicitly mentioned in its scope of accreditation. In other case, where the accreditation is granted to the calibration laboratory for the 'parameters' only, the Calibration certificate issued by the calibration laboratory shall have a clear demarcation for 'Parameter calibrated' and for the 'Equipment / Assembly / Set up / Device'. In no way, it should mislead the customer that the whole Equipment / Assembly / Set up / Device is calibrated.

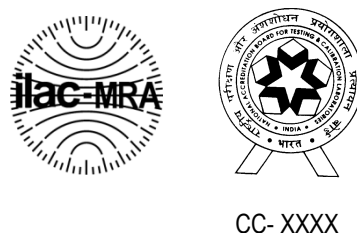
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7. NABL Accredited CAB Combined ILAC MRA Mark

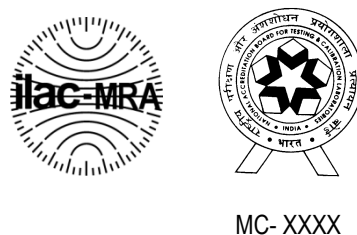
7.1 **For Testing Laboratory:** Pictorial representation of NABL Accredited CAB Combined ILAC MRA Mark to be used by testing laboratory is depicted below, where TC-XXXX is the Accreditation Certificate Number:



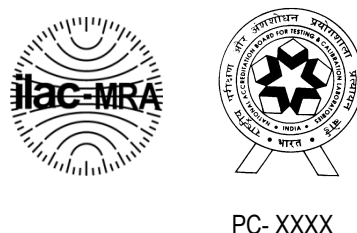
7.2 **For Calibration Laboratory:** Pictorial representation of NABL Accredited CAB Combined ILAC MRA Mark to be used by calibration laboratory is depicted below, where CC-XXXX is the Accreditation Certificate Number:



7.3 **For Medical Testing Laboratory:** Pictorial representation of NABL Accredited CAB Combined ILAC MRA Mark to be used by medical testing laboratory is depicted below, where MC-XXXX is the Accreditation Certificate Number:



7.4 **For Proficiency Testing Provider (PTP):** Pictorial representation of NABL Accredited CAB Combined ILAC MRA Mark to be used by PTP is depicted below, where PC-XXXX is the Accreditation Certificate Number:



Note: Accreditation Certificate number shall be provided by NABL to accredited CAB.

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8. Instructions for use of NABL Accredited CAB Combined ILAC MRA Mark on its test report, calibration certificate and PT report

'NABL Accredited CAB Combined ILAC MRA Mark' is the ILAC MRA Mark used in combination with the NABL Symbol, which NABL accredited CAB is entitled to use.

Use of 'NABL Accredited CAB Combined ILAC MRA Mark' is voluntary and shall only be used by accredited Testing laboratory, Medical testing laboratory, Calibration laboratory and Proficiency Testing Provider (PTP) on its test report/certificate, calibration certificate/report and PT report only.

- 8.1 NABL Accredited CAB {Testing laboratory, Medical testing laboratory, Calibration laboratory and Proficiency Testing Provider (PTP)} shall have a documented procedure for use of NABL Accredited CAB Combined ILAC MRA Mark.
- 8.2 NABL Accredited CAB wishing to use 'NABL Accredited CAB Combined ILAC MRA Mark' shall obtain approval in writing from NABL and agree to the rules for the use of the NABL Accredited CAB Combined ILAC MRA Mark.
- 8.3 'NABL Accredited CAB Combined ILAC MRA Mark' shall be used on the report / certificate which contains only accredited scope. Any non-accredited scope shall not be part of the said report / certificate.
- 8.4 NABL Accredited CAB may use 'NABL Accredited CAB Combined ILAC MRA Mark' only on Report / Certificate issued by accredited CAB.
- 8.5 NABL accredited CAB are entitled to use 'NABL Accredited CAB Combined ILAC MRA Mark' together with the certificate number of the accredited CAB.
- 8.6 NABL accredited CABs can use 'NABL Accredited CAB Combined ILAC MRA Mark' for activities undertaken outside the economy in which they are established.
- 8.7 'NABL Accredited CAB Combined ILAC MRA Mark' shall only be used by NABL accredited CABs during the period when it holds valid accreditation.
- 8.8 NABL accredited CAB shall allow NABL to observe the use of 'NABL Accredited CAB Combined ILAC MRA Mark'.
- 8.9 NABL accredited CAB shall not use 'NABL Accredited CAB Combined ILAC MRA Mark' in any way that would bring ILAC and/or NABL into disrepute.
- 8.10 NABL accredited CAB shall strictly ensure that 'NABL Accredited CAB Combined ILAC MRA Mark' shall not be used by their customers, sub-contractor or any other third party.
- 8.11 NABL accredited CAB shall not use the ILAC MRA Mark in any form other than as part of a 'NABL Accredited CAB Combined ILAC MRA Mark'.
- 8.12 'NABL Accredited CAB Combined ILAC MRA Mark' shall not be placed by any means on the products or items, which a CAB has tested / calibrated.
- 8.13 'NABL Accredited CAB Combined ILAC MRA Mark' shall not be used on any other item other than Report and / or Certificate.

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9. Instructions for Reproduction of NABL Symbol and / or NABL Accredited CAB Combined ILAC MRA Mark

- 9.1 "NABL Symbol" shall be legible and displayed only in the appropriate form and proportion. The image of NABL Symbol can be obtained from NABL secretariat.
- 9.2 Electronic reproduction of "NABL Symbol" is permitted provided that the requirements of this document are met, integrity of NABL symbol is maintained and distortion of graphic is avoided.
- 9.3 NABL accredited CABs {Testing laboratory, Medical testing laboratory, Calibration laboratory and Proficiency Testing Provider (PTP)} are entitled to use NABL Symbol as well as "NABL Accredited CAB Combined ILAC MRA Mark".
- 9.4 NABL symbol shall be positioned such that it is not combined with any other logo / symbol / mark. The ILAC MRA Mark shall be positioned such that the NABL symbol shall be on right side of the ILAC MRA Mark, but shall appear in close proximity to each other.
- 9.5 NABL symbol and/or "NABL Accredited CAB Combined ILAC MRA Mark" shall be reproduced in black and white color only. Embossed, relief, or die-stamped versions are allowable.
- 9.6 NABL symbol and/or ILAC MRA Mark shall always be used in its original, designed proportions. As a general guideline, one dimension of the NABL symbol, preferably the height, should be within approximately 5% of the size of the ILAC MRA Mark.
- 9.7 NABL symbol and/or ILAC MRA Mark shall not be distorted or stretched in any way.
- 9.8 NABL symbol and/or ILAC MRA Mark shall not appear in size that is unreadable.
- 9.9 ILAC MRA mark shall be maintained in similar proportions to the NABL symbol (within the Accredited CAB Combined ILAC MRA Mark).
- 9.10 NABL symbol and/or ILAC MRA Mark shall only be used in its normal horizontal orientation and not be rotated.
- 9.11 NABL symbol and/or ILAC MRA Mark shall be used on a background that will not impede readability.
- 9.12 NABL symbol and/or ILAC MRA Mark photocopies from other documents shall not be used.

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10. Instructions for use of NABL Symbol and / or Claim of Accreditation for Subcontracted Result

NABL allows subcontracting of Test and / or Calibration to an NABL accredited CAB only. NABL accredited CAB may include the results of subcontracted tests or calibrations in its endorsed report and / or certificate only if:

- a) The accredited CAB takes full responsibility for the subcontracted test and / or calibration.
- b) The accredited CAB shall take approval from the subcontractor to report excerpts from the subcontractor's report and / or certificate.
- c) The subcontracted calibration and/ or test result shall be clearly and unambiguously identified.

11. Instructions for use of NABL Symbol and / or Claim of Accreditation on Calibration Labels

11.1 Calibration labels containing the "NABL Symbol" may be affixed only on the equipment that has been calibrated by NABL accredited calibration laboratory as per their scope of accreditation. Calibration labels containing NABL symbol shall not give the impression that NABL has approved or calibrated the equipment.

11.2 Calibration labels containing the "NABL Symbol" shall include at least the following information:

- a) The name of accredited calibration laboratory,
- b) The instrument identification,
- c) The date of current calibration'
- d) Cross-reference to the calibration certificate/report issued with respect to this calibration.

11.3 Calibration labels containing the accreditation symbol shall only be used for the equipment which have been calibrated using calibration methods covered by NABL accredited scope of the accredited calibration laboratory.

12. Instructions for use of NABL Symbol and / or Claim of Accreditation on Reference Material Documents and Labels

NABL accredited RMP shall use NABL symbol in such a way that Reference Material (RM) certificate and / or RM label containing the accreditation symbol shall not give the impression that NABL has approved or produced the RM. In addition to the information required in ISO 17034, RM label shall include the following:

- a) The name and Accreditation Certificate number of the accredited Reference Material Producer,
- b) Designation of the product and batch number, and
- c) Cross reference to the Reference Material document.

13. Instructions for use of NABL Symbol and / or Claim of Accreditation on Proficiency Testing Reports

NABL accredited PT provider shall use NABL symbol on the reports related to the PT schemes covered by the accredited scope of the PT provider.

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14. Instructions for use of NABL Symbol and / or Claim of Accreditation for Advertising and Publicity

- 14.1 NABL Accredited CABs may use “NABL Symbol” and / or claim NABL accreditation in publicity and/or advertising materials for promotional purposes, including brochures, business reports & stationery, technical literature, websites or on proposal / quotation for testing, calibration, PT and RMP work.
- 14.2 The accreditation claim by accredited CAB shall be related to or associated only with the services for which it is accredited by NABL, and not with any other activities in which the CAB or its parent organization is involved.
- 14.3 NABL accreditation is location specific. The accreditation claim shall be related only to the specific CAB location that is covered under the NABL scope of accreditation, and not with any other non-accredited location. Once the accredited CAB shifts the premises, they shall immediately stop the use of NABL Symbol and / or any claim of NABL accreditation at the new premises till NABL verifies and approve the suitability of new premises.
- 14.4 In brochures, proposal or quotation, the accredited CAB shall distinguish scope that is covered under NABL Accreditation from those that are not covered.
- 14.5 Where “NABL Symbol” and / or Claim of Accreditation is printed on letterhead and/or other corporate stationery, such stationery shall not be used for work proposal or quote, nor for reporting the results exclusively outside the NABL Scope of Accreditation, or for certifying a product or item, However, in case of (C)RM, the RMP may use the printed letterhead for the product or item certified by them as per the scope of accreditation.

15. Situations for not to use “NABL Symbol” and / or NABL Accreditation Status and / or NABL Accredited CAB Combined ILAC MRA Mark

- 15.1 In the event of CAB being placed under suspension / withdrawal / expiry of accreditation, the CAB shall immediately cease to issue certificate and report displaying the "NABL Symbol"; or any claim of accreditation; and shall cease publishing and/or distribution of documents (including advertisement, website, letter head etc.) containing the “NABL Symbol” or reference to NABL accreditation.
- 15.2 CAB shall not make any claim of NABL accreditation outside accredited scope which includes reporting a test method not appearing in the scope of accreditation, reporting a value outside accredited range, reporting uncertainty smaller than CMC etc.

16. Actions for Misuse of NABL Symbol / NABL Accredited CAB Combined ILAC MRA Mark

- 16.1 Any false claim of NABL accreditation in the form of use of NABL Symbol on the certificates for the unaccredited test/calibration/PT/RM, Statements like 'Accredited by NABL' in the certificates of unaccredited test/calibration/PT/RM or any claims of other means will be treated as misuse of NABL accreditation and adverse decision as per NABL 216 shall initiated against the CAB.
- 16.2 In case a CAB is found to be violating the instructions for use of NABL Accredited CAB Combined ILAC MRA Mark, or misusing the same, adverse action will be initiated as per NABL 216 and the accreditation will be withdrawn.

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17. Authorizing the test report / certificate, medical test report/ certificate, calibration certificate/ report, PT report and RM document

The test report / certificate, medical test report / certificate, calibration certificate / report, PT report and RM document issued under the accredited scope shall be authorized by the person who has been declared to NABL as responsible for review, report and authorizing the results.

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Appendix A**Agreement for use of NABL Accredited CAB Combined ILAC MRA Mark**

CAB Name:

CAB ID & Certificate Number:

Validity of the Accreditation Certificate.....

Address:

.....

.....

Terms and Conditions for Use of NABL Accredited CAB Combined ILAC MRA Mark

- A. The accredited CAB shall use the NABL Accredited CAB Combined ILAC MRA Mark only after this agreement has been signed by NABL accredited CAB and NABL.
- B. Accredited CABs can use the NABL Accredited CAB Combined ILAC MRA Mark for activities undertaken outside the economy in which they are established.
- C. The accredited CAB shall ensure that, at all times, its use of the NABL Accredited CAB Combined ILAC MRA Mark does not breach any requirements of NABL 133.
- D. NABL Accredited CAB Combined ILAC MRA Mark shall only be reproduced in the manner prescribed in Section 9 of NABL 133.
- E. The ILAC MRA Mark shall be positioned at the left side of the NABL symbol, but shall appear in close proximity to each other.
- F. NABL accredited CAB shall not use the NABL Accredited CAB Combined ILAC MRA Mark in any way that would harm the reputation of ILAC and/or NABL.
- G. NABL accredited CAB shall allow NABL to observe the use of the Accredited CAB Combined ILAC MRA Mark.
- H. NABL accredited CABs are entitled to use of the NABL Accredited CAB Combined ILAC MRA Mark together with the certificate number of the accredited CAB.
- I. NABL accredited CAB shall not use the ILAC MRA Mark in any form other than as part of a NABL Accredited CAB Combined ILAC MRA Mark.
- J. Upon the termination of this agreement, the accredited CAB no longer has the right to use the NABL Accredited CAB Combined ILAC MRA Mark and stop all such use.

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- K. The accredited CAB's rights under this agreement shall automatically and immediately be suspended during any period where the accredited CAB either voluntary withdraws its Accreditation or the accreditation status of the CAB is under "Voluntary Withdrawal" or "Suspension" or "Forced Withdrawal" or "Debarred" category.
- L. NABL has the right to terminate this agreement by giving a written notice if the accredited CAB is found violating the terms and conditions of this agreement.
- M. This agreement will automatically terminate when CAB Acquisition, Merger, De-Merger, Take over/ Purchase and Selling of CAB has been initiated as informed to NABL.
- N. This agreement will automatically terminate when ILAC MRA status of NABL has been suspended, terminated or not renewed by ILAC.
- O. In case, there is any on-going complaint against the accredited CAB, NABL shall not permit the use of NABL Accredited CAB Combined ILAC MRA Mark to the particular CAB.
- P. All disputes, if any, arising out of this contract, that remain unresolved through mechanism provided by NABL are subject to the exclusive jurisdiction of the Courts at New Delhi and none other.

Declaration

I declare that, undersigned is authorized to sign this agreement on behalf of _____ which is accredited by NABL in the field of _____ (Testing / Calibration / Medical / PTP).

This agreement is entered on the date stated at the end of it and will terminate on the expiry of the CAB's accreditation.

**Signature of CAB Head
(Date, Name & Designation)**

**Signature on behalf of NABL
(Date, Name & Designation)**

National Accreditation Board for Testing and Calibration Laboratories				
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National Accreditation Board for Testing and Calibration Laboratories (NABL)

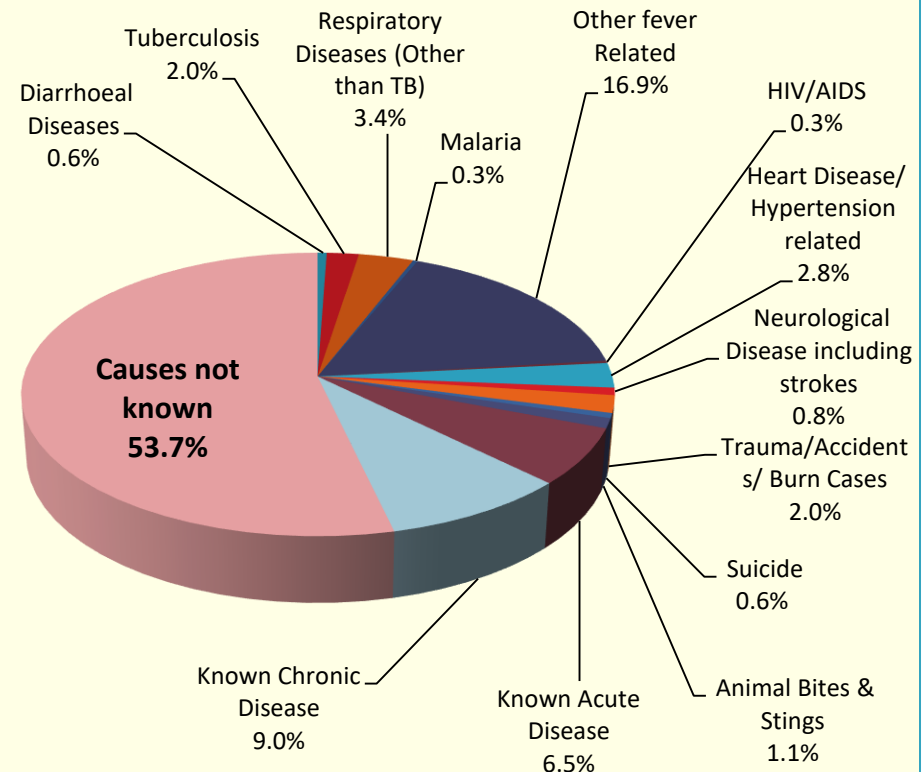
NABL House
Plot No. 45, Sector44,
Gurugram – 122003, Haryana
Tel.: +91-124 4679700
Fax: +91-124 4679799
Website: www.nabl-india.org

Causes of deaths (above 6 years of age)

Causes of deaths (above 6 yrs of age) 2015-16

Causes	6-14 yrs	15-55 yrs.	Above 55yrs	Total
Malaria	1	-	-	1
HIV/AIDS	-	1	-	1
Diarrhoeal Diseases	-	2	-	2
Suicide	-	1	1	2
Neurological Disease including strokes	-	3	-	3
Animal Bites & Stings	-	2	2	4
Tuberculosis	-	6	1	7
Trauma/Accidents/ Burn Cases	-	6	1	7
Heart Disease/ Hypertension related	1	3	6	10
Respiratory Diseases (Other than TB)	1	7	4	12
Known Acute Disease	5	8	10	23
Known Chronic Disease	2	19	11	32
Other fever Related	3	32	25	60
Causes not known	10	89	91	190
Total Deaths	23	179	152	354

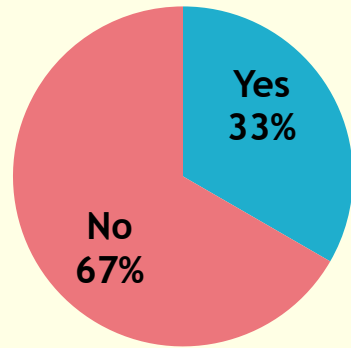
Cause of deaths 6 yrs & above against total reported deaths 6 yrs & above - Apr'15 to Mar'16



Source : HMIS Data Analysis 2015-16, District Angul

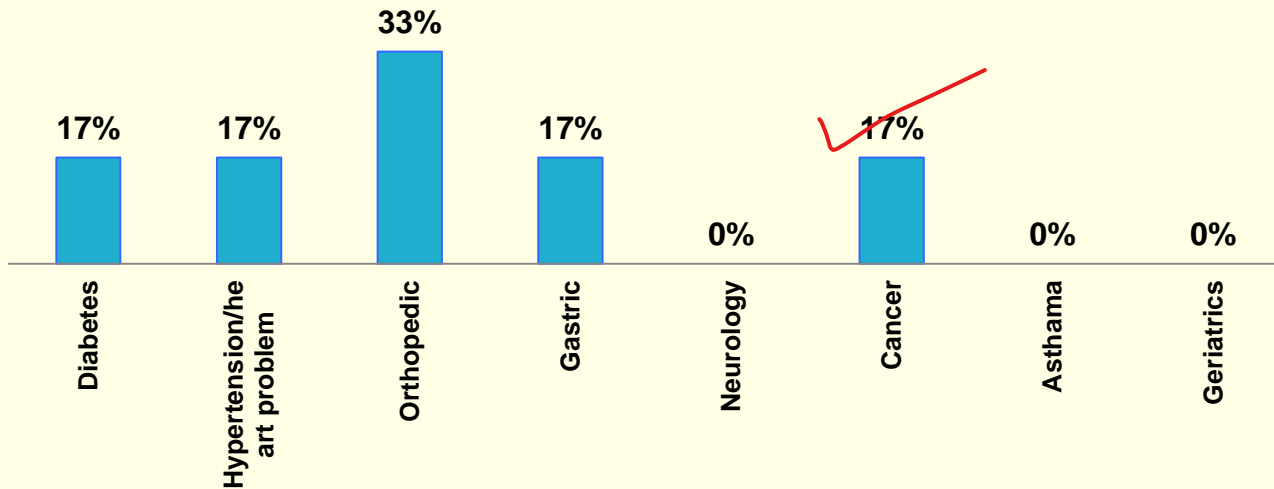
REGULAR MEDICATION BEHAVIOUR

Does any member of your family take regular medications?



The findings indicate chronic diseases are requiring continued treatment, with diabetes, Gastric problem, Orthopedic Ailment and hypertension being majority of the conditions for which people take regular medications.

Conditions for which patients take regular medications





IMPACT OF MINING ACTIVITIES ON THE HEALTH AND NUTRITIONAL STATUS OF LOCAL COMMUNITIES IN TALCHER COALFIELD, ANGUL DISTRICT, ODISHA

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ABSTRACT

Coal mining is one of the most important primary activities of the human civilization, but it has various impacts on the local community. It has mixed impact on society, positive on the economic prospects whereas impact is mostly negative to the environment and health of the local community. Coal mining not only causes pollution borne diseases and communicable diseases but also invite various genetical disorder in the people living vicinity to the coal mining. In this research paper we are doing analysis of various health impacts of coal mining on the local community and we are trying to figure out certain precautionary measures to mitigate the impact of coal mining.

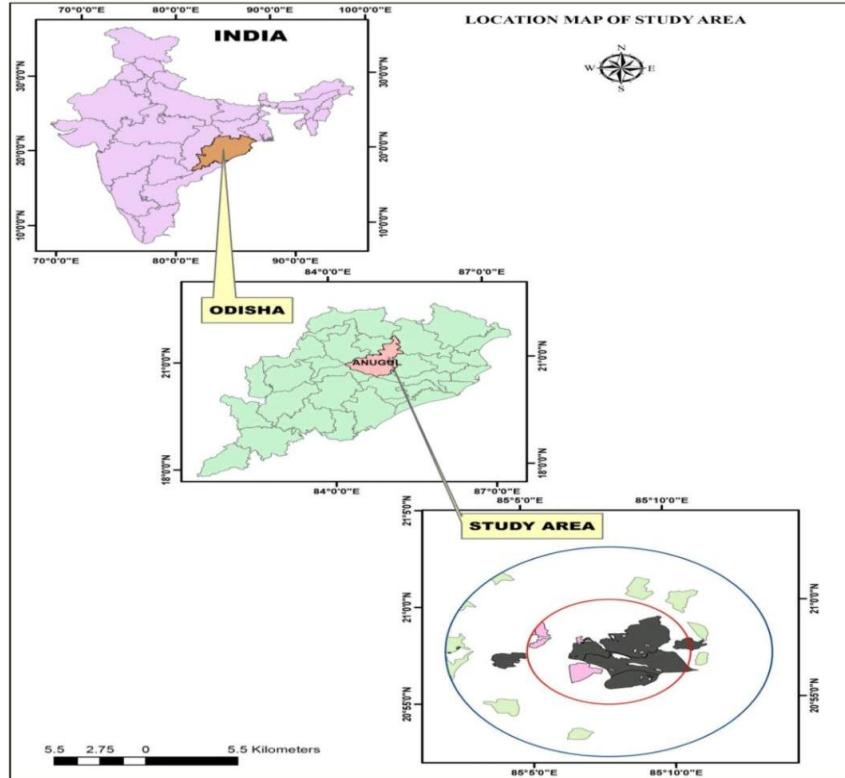
OBJECTIVE

The present study is an attempt to assess the impact of coal mining on health and nutrition of local community of the Talcher coalfield, Angul district, Odisha.

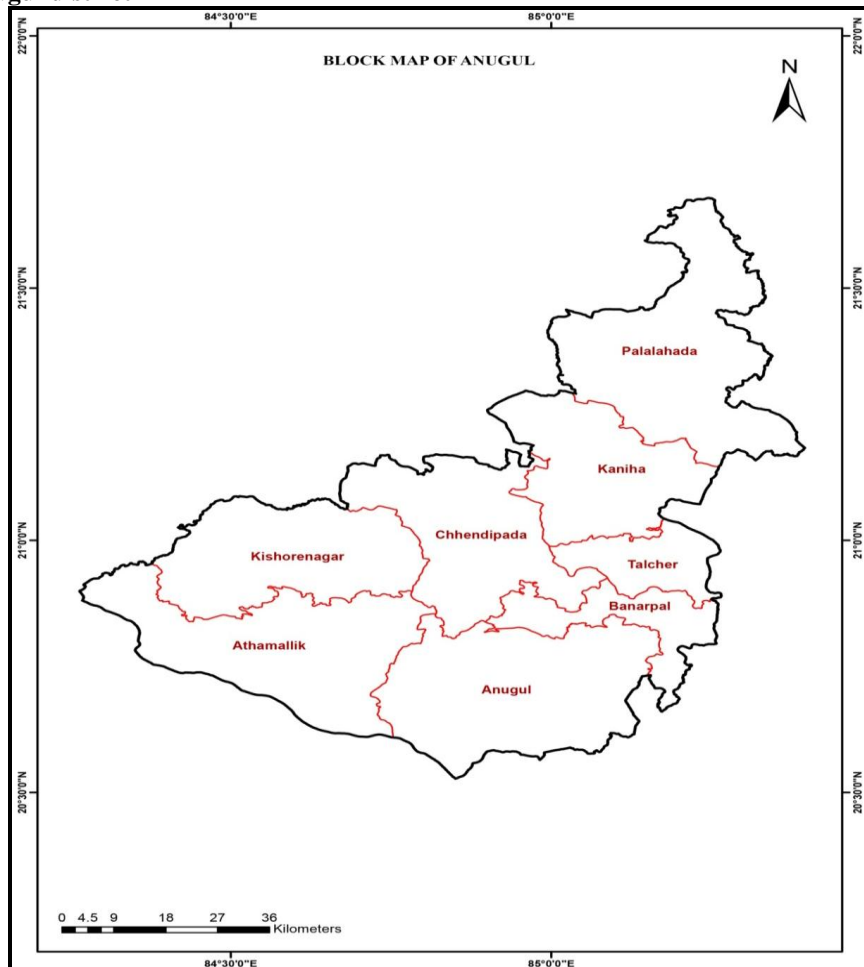
Study area

The study site is a 10km radius area covering the mining agglomeration of Talcher coalfield. It covers the four important coal mining lease area of Talcher coalfield i.e. Ananta, Jagannath, Bharatpur and Balanda. The study area is located in the Brahmani river valley area of Talcher Tahsil. The coal mining project of Talcher coalfield comes under Mahanadi Coalfield Limited. The study area extends from latitude 20.8673 to 21.2548 and longitude 85.0337 to 85.2275 in Angul district of Odisha. It is surrounded by Khandabareni reserve forest at north vast cropland at south Talcher town at east and Hingula II coal mines at west. The site is connected with the near most town i.e. Talcher by both all-weather road and railway. Distance between the study area and nearby town is 07 km. the railway line i.e. Talcher-Sambalpur (east coast railway) pass within 1.0 km of the buffer zone of the study area. The national highways i.e. NH-42, NH-23 pass through 5 km south and 6 km east from the study area respectively. The site comes in a survey of India toposheet no. 73 H/, at about 92mt. lowest elevation and 124mt. highest elevation above the mean sea level.

Location map of study area



Block map of Anugul district



Database and methodology

Data for this research work obtained from both the primary and secondary sources. Much of the data required for this research are obtained from primary sources, particularly through survey in the mining area, by questionnaire method, group discussion, sample survey, personal interview and PRA method. The secondary data has been collected from successive census enumeration, mining office, MCL, CIL, OMC, from district commissioner’s office, mining office, land and revenue office and different journal books and publications. Village level data i.e. mining affected area is taken from district gazetteer, BDO and Tahsildar office.

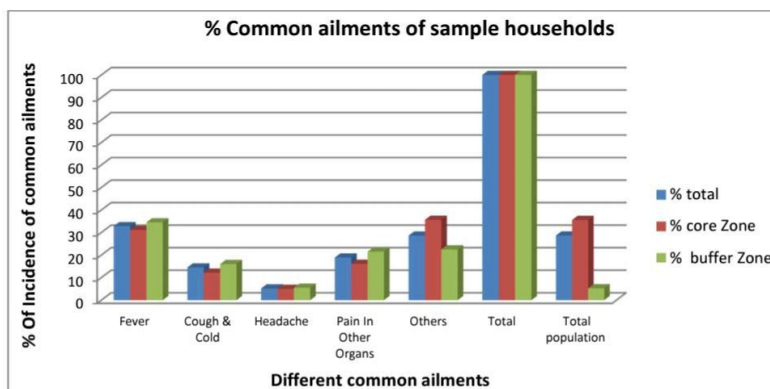
Research findings

Health status of the study area

Common diseases of the sample household

Common diseases like fever, cough, cold, headache and pain in other organs are taken into consideration. Not

only common diseases but also different types of airborne, waterborne, minesborne and parasitic diseases are taken into consideration. When the household and village survey was conducted, it was noticed that the residents of the study area is suffering from various types of common ailments. Out of the total population surveyed 24.84 % population is suffering from a different type of common disease. The rate of suffering is taken into consideration zone wise. It is slightly higher in the core zone i.e. 26.91% than that of buffer zone i.e. 23.23%. In both the core and buffer zone fever is the highest percentage of disease noticed among the people which is around 30%. After fever the second biggest ailment is other problems. Pain in other organs is the 3rd major problem in the study area after that comes cold and cough. Finally, headaches and migraines come in the last position. The rate of fever is very high in this study area because of unhygienic conditions and mining pollution. Large number of people are suffering from malaria and dengue like fever.



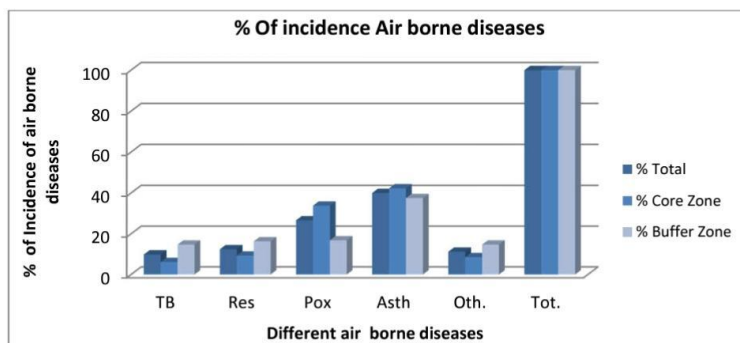
II. Incident of chronic disease among sample household

During the research work in the study area, various types of chronic diseases like airborne, waterborne and parasitic diseases were noticed among the residents.

Incident of airborne diseases among sample household

If the airborne diseases are taken into consideration tuberculosis, respiratory diseases, black lung disease, pox, asthma and other airborne diseases are very

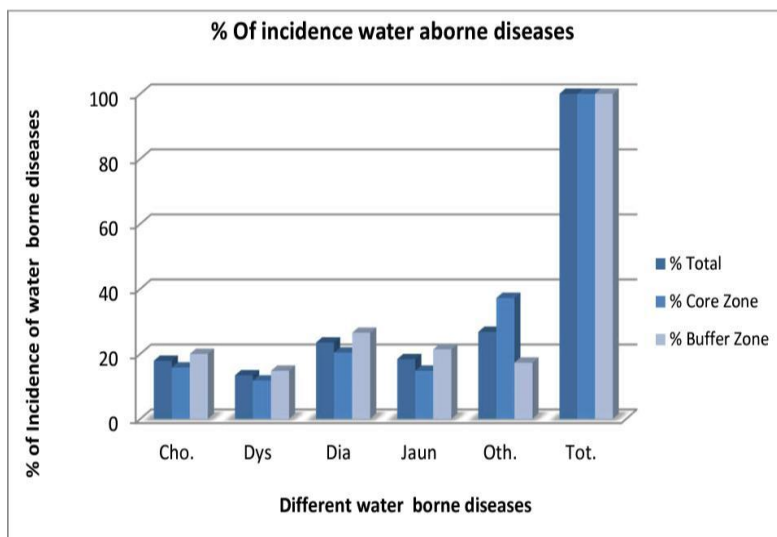
common in the study area. Out of the total surveyed population 28.43% of people are suffering from it. The rate of this disease is very high in the core zone i.e. 36.62% and it is comparatively less in the buffer zone i.e. 22.06%. Large section of the people in both the core and buffer zone are suffering from asthma and the situation of core zone is alarming in this regard. The condition of pox is very severe in core zone i.e. 33.8%. Tuberculosis and other respiratory disease are also noticed in the household survey in the study area.



Incident of waterborne diseases among sample household

If waterborne diseases are taken into consideration cholera, diarrhea, dysentery, jaundice and other

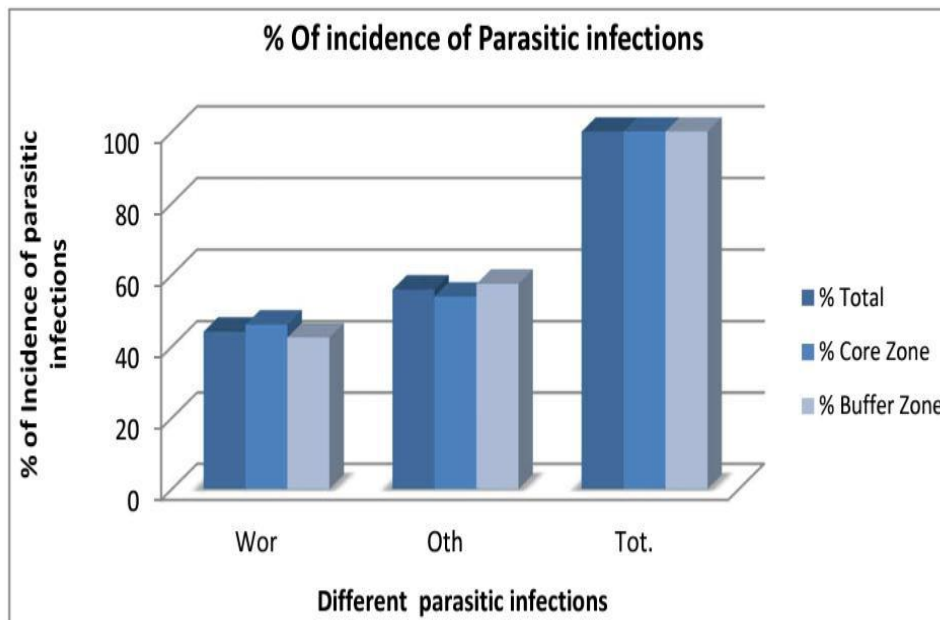
waterborne diseases are very common in the study area. Due to excessive water pollution, rates of waterborne diseases are very high in the study area.



Out of the total population surveyed in the study area 27.25% of people are suffering from waterborne diseases. The rate of waterborne diseases are very high which is 30.19% in the core zone which is comparatively less i.e. 24.97% in the buffer zone. In the core zone other

waterborne diseases are very frequent i.e. 37.2%. Due to lack of clean drinking water and unhygienic practices, the condition of jaundice is at an alarming rate in the buffer zone.

Incident of parasitic infections among sample household



Worm and other parasitic infections are common in the study area. 30.39% of people of the total household surveyed are suffering from it. The rate of infection is high in the core zone and comparatively less in the buffer zone i.e. 31.83% and 29.26% respectively. The rate of

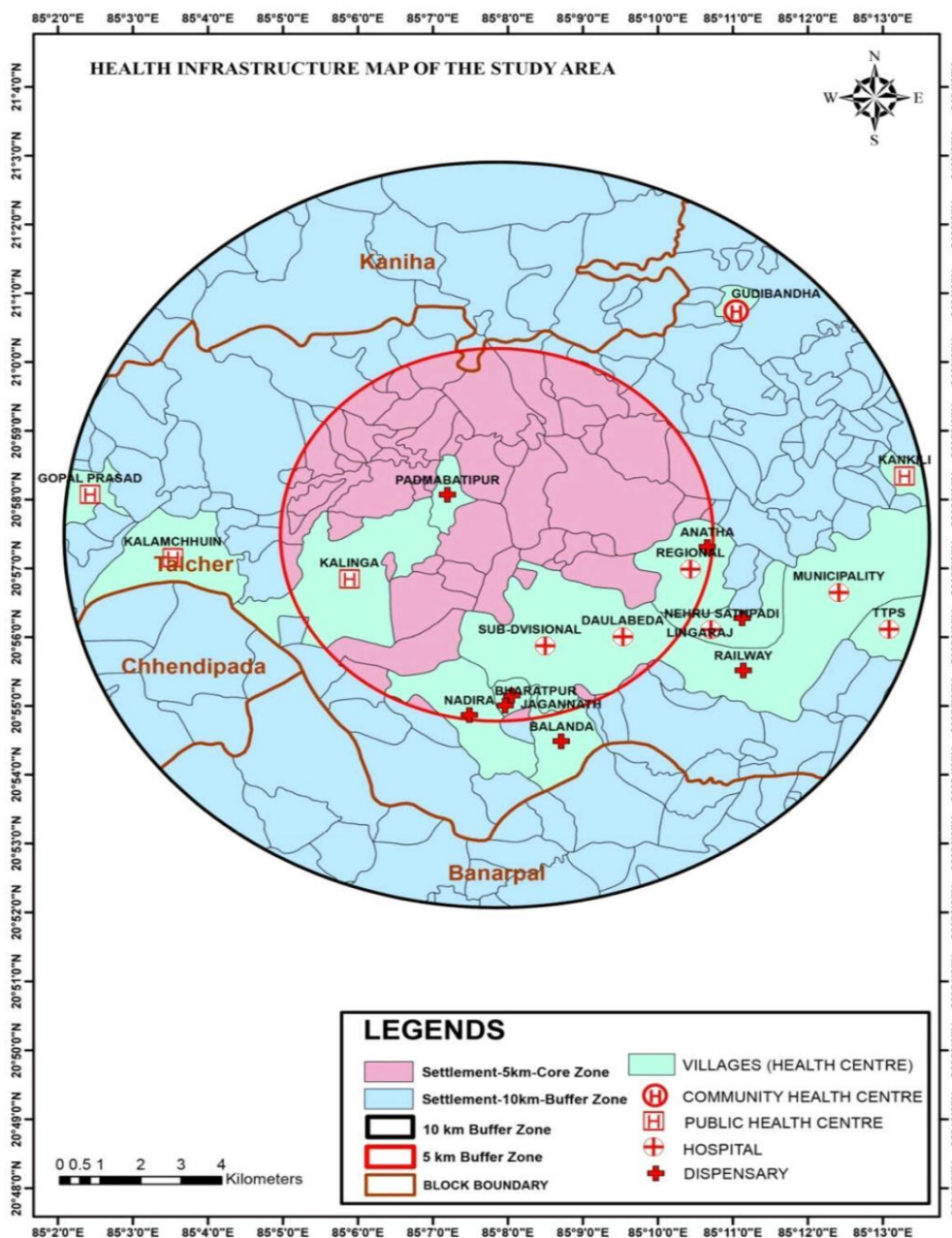
infection is more frequent in children than that of an adult.

Nutritional status of the study area

Nutrition is the building block of health condition. The nutritional status of the study area is calculated by the

anthropometrical study. The anthropometric study calculates the malnourishment level and gives an idea about the nutrition status of the study area. It analyzes

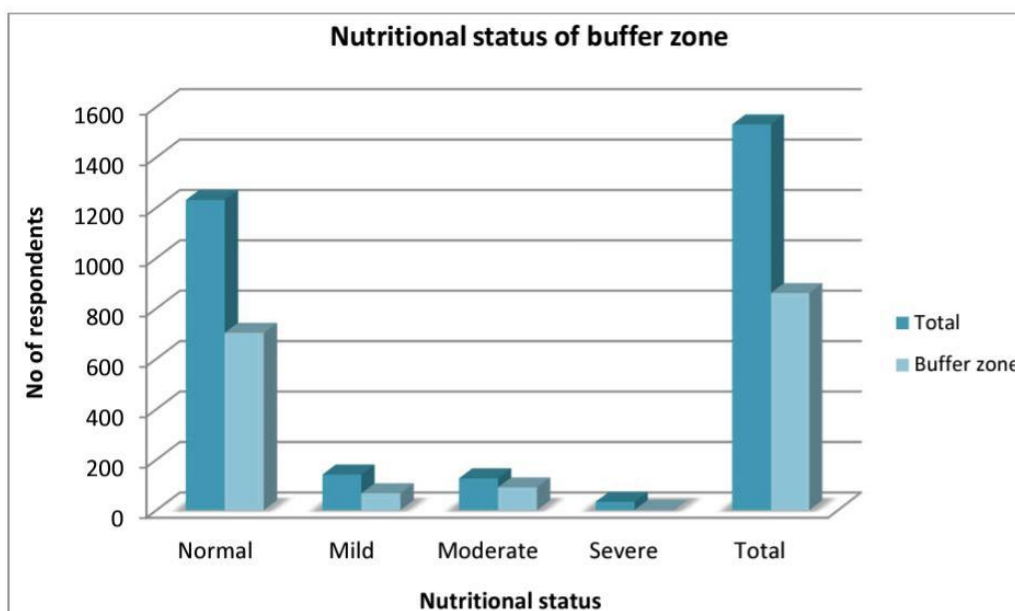
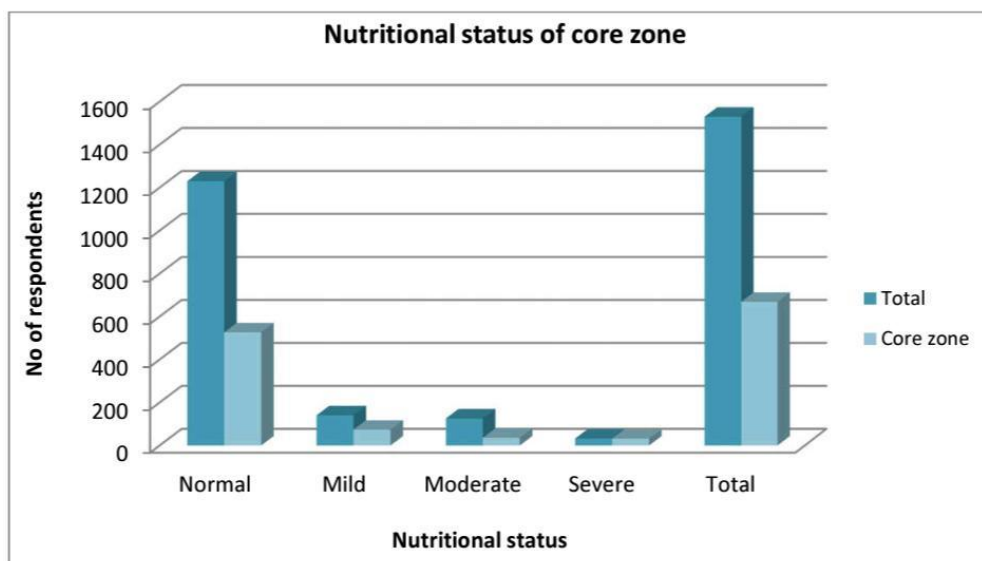
the weight and height measurement of each member of the sample households.



Assessment of nutritional status

Weight and height are most frequently recorded in the nutritional surveys. In the nutritional study total of 1530 people living around the mining area of different sampling villages are taken into consideration. It was noticed that 80.39% of the population has normal nutritional status, 9.28% belonging to mild condition, 8.23% have moderate status whereas only 2.15% population are under severe condition. Based on the average nutritional score achieved by different sample villages it was found that Dasrathipur, Telipasi, Solada,

Badajharan, Badahar, Hariharpur, Rayati, Gopalprasad scored more than 80%, Brajanathapur, Mallibandha, Khirkolipasi, Madanmohanpur, Bhajanipur, Jamubahali scored between 60-80% and rest only one village i.e. Chandrasekharpur <60%. This village requires prompt medication to meet their nourishing necessities through mindful battle and preparation. The commonness of the higher extent of typical youngsters in practically all villages may be ascribed to the longer length of bosom sustaining in the area.



Zone wise if the variation is taken into consideration, the buffer zone is comparatively better than the core zone. In the core zone nutritional status of 78.77% people are normal, 11.06% comes under mild condition, 5.38% under moderate condition and 4.78% under severe condition. On the contrary, in the buffer zone 81.65% people are normal, 7.78% under mild condition, 10.45% moderate and 0.12% under severe condition. These nutritional statistics reflect core zone nutrition needs to be taken proper care.

Health problems

There is hardly any regards for cleanliness and sanitation facility. Neither proper solid waste disposal nor drainage facility is available in the study area. Due to excess domestic and mining pollution this area is prone to vector-borne diseases like dengue, malaria, fever, cough, cold etc. Most of the mining borne diseases are frequent in the mining belt like acute respiratory tract infection,

skin infection, intestinal disorder, arthritis, joint pain and eye diseases, asthma and lung diseases etc.

The medical facility is also poor in remote villages, people have to move 10-15 km to avail medical service. In most of the dispensaries and PHC there are no MBBS doctors. Specialists and MBBS doctors are available only in Talcher municipality sub-divisional or central hospital. For any severe case, people have to move to Cuttack, Bhubaneswar which is around 180 km from the study area.

Concluding remarks

Development of health infrastructure is most important for improving the health status of local community. Another important thing is improving the nutritional value of the local community. Health impacts of mining can't be eradicated completely but the impacts can be

lessened by using scientific mining, sustainable mining or green mining methods.

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Kidney disease rising in Athmallik area of Angul district, watch

By Himanshu

Last updated Feb 22, 2024



Angul: Kidney disease rising in Athmallik area of Angul district in Odisha as per latest reports. Cases of kidney disease are increasing day by day here while people are not getting proper treatment. Due to lack of money many of the kidney ailment victims are staying at home without proper treatment. Such situation has been witnessed in the Thakurgarh Panchayat of Athmallik block. Now the question arises will this situation deteriorate further? A report.

The number of kidney patients is increasing in Thakurgarh Panchayat of Athmallik block. Dhandatopa, Arampur, Amasma village of Thakurgarh Panchayat, 15 km from Athmallik, are located on the northern side of the Panchdhar hills. As many as 450 people from 50 families are residents of Dhandatopa.

Similarly, around 350 people from 60 families are living in Arampur and Amasma. Surrounded by hills and forests, most of the people in these villages live below the poverty line. They earn their livelihood by collecting agricultural and forest products.

Likewise, Luhasinga panchayat is 13 km away from Athmallik. The population of Luhasinga village, situated on the southern side of the Panchdhar hills, is about 1100. About 80 percent of the people of this village live below the poverty line. They are laborers. They collect forest produce for livelihood.

✓ Many people have died due to kidney disease in these villages in the past. Now the number of victims is increasing. In 2015, 2019 and 2023, health camps were organized to identify kidney patients in different areas of Athmallik. A total of 52 patients were identified. They are said to have been provided medical treatment. Only 26 people died. 26 people were under treatment. Some of them are getting treated at their own expense. Due to lack of money, a few others are staying at home without being able to buy medicine.

3 major hospitals in Athamallik do not have the necessary number of doctors. The number of doctor posts in this sub divisional hospital is 34. But there are 6 doctors here. Also, there are only 6 doctors in Madhapur hospital out of 12. Similarly, in Kishorenagar hospital, there are only 4 doctors while the number of doctors' post is 12.

It seems kidney disease detection tests and free drug provision are far from reality. Allegedly, patients in rural areas do not receive proper treatment from the onset of the disease in nearby hospitals. As the disease spreads, treatment becomes costly. A patient in financial crisis is forced to come to the hospital and return home only with some advice and prescription from the doctor.

The villagers alleged that drinking water problem is the main cause of the disease. Fine particles of minerals are present in the water of the tube wells at the foot of the hill. The villagers said that there is even oily part in the tube well water. Public Health and Sanitation Department has advised not to use tube well water in Luhasinga village.

Just 2 meters away from that tube well, another tube well has been installed. The water from that tube well is being filled in the overhead tank and distributed to the people. The villagers have complained that this water is not purified. The tank is also not cleaned. Villagers have repeatedly appealed the administration for supply of clean drinking water, but in vain.

Regarding the possible cause of the disease, the doctors have pointed finger towards several factors. Blood pressure, diabetes, family history, minerals in drinking water, adulterated food, drugs, environment etc. can cause this disease.

The junior engineer of rural water supply and sanitation department has said that samples of water from the tube wells have been collected and sent for testing. Action will be taken once these reports come.

Local MLA Ramesh Chandra Sai has accepted the complaints of the people. There is a need to identify the kidney patients and appoint sufficient doctors in the nearest health centre, the villagers have said. Also, provision of medicines, organization of health camps for the diagnosis of kidney disease are to be made.

The villagers have further said that once the identification of kidney patients done, they should be included in the Biju Health Welfare Scheme and to be provided with treatment. Further, they have demanded the administration to take immediate action to provide clean drinking water to the rural areas affected by kidney disease.

Report: Ashish Singh, Athmallik

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Odisha's industrial town turns into death bed due to pollution

The growing air pollution in the Angul-Talcher region poses a threat to the people living here. It exposes them to ailments like cardio and respiratory morbidity, bronchitis, pneumonia and other diseases.



Odisha's industrial town turns into polluted death bed for residents



By ETV Bharat English Team

Published : Dec 24, 2023, 9:46 PM IST Updated : Dec 24, 2023, 10:00 PM IST



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Odisha's industrial town turns into death bed due to pollution

Talcher (Odisha): The Angul-Talcher belt is suffering as a result of industrialisation and is also among one of the most polluted regions of the country. With the development of mega power plants, coal mines, smelters and other ancillary industries, the region has climbed the pollution ladder very fast over the years.

The dust particles and ash residues floating in the air due to emissions from trucks and heavy vehicles ended up settling on the water bodies, atop agricultural fields and houses, causing a health hazard for the local residents. Speaking to the media, educationalist and environmentalist Jayashri Tiwari said, "The five primary pollutants that contribute to 90 per cent of the global air pollution are carbon dioxide, carbon monoxide, nitrogen oxide, sulphur dioxide. Volatile substances like hydrocarbons and the suspended particulate materials are present here."

"Here there are 11 coal fields, in which nine are open fields and two are underground mines. These nine open fields emit carbon dioxide, carbon monoxide, sulphur dioxide, and nitrogen dioxide," Tiwari added.

Speaking to the media, Talcher, a resident of Chaitanya Pradhan said, "There is nothing for dust protection. For all the trucks that come and go, there should be arrangements for sprinkling, but there is no such facility available. All the dust that flies goes into the village and the town and even into the medical centres here."

According to reports, the suspended dust particulate matter (SPM) level in the atmosphere should be below 400 microns unlike in Talcher where it is found to be laden with particles as big as 600 microns. Another Talcher resident, Keshav Bhutia said, "Because of pollution, people are suffering from diseases such as heart attack, cancer and others. If you go to NH 149, you will see what is the status of pollution."

The growing air pollution in the region poses a threat to the people living here. It exposes them to ailments like cardio and respiratory morbidity, bronchitis, pneumonia and other cardiovascular diseases.

Talcher Mandapal Hospital doctor, Karnaram Mohanta said, "There are respiratory diseases like asthma occurring here due to dust. Another is skin diseases like eczema, which is very common here, and these diseases exacerbate due to the dust in the atmosphere." The administration of Talcher has directed the mining authorities concerned to maintain environmental standards and implement strict pollution control measures.

Angul Collector Sidharth Shankar Swain said, "It is primarily an industrial area with a lot of coal mines and industries, and that is one of the major reasons for the level of pollution that you see in the area. All the mines are taking steps as per their mine opening plan. We are also trying to ensure air quality by taking steps like wheel washing and proper covering of the moving trucks with tarpaulin and other measures." (With Agency Inputs)

Also read:

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Last Updated : Dec 24, 2023, 10:00 PM IST

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TAGGED: Talcher Industrialisation Polluted Region Pollution Talcher Pollution Odisha Pollution Suspended Dust Particulate Matter



S K Mishra <sanjayakmishra@gmail.com>

Counter Affidavit to I.A. 97 (EZ) of 2024 in Appeal No. 7 (EZ) of 2024 | Subhadra Coal Mining Limited versus Sanjaya Kumar Mishra

1 message

S K Mishra <sanjayakmishra@gmail.com>

16 January 2025 at 16:06

To: Amrita Pandey <amritalegal@gmail.com>, poddar_associates2005@yahoo.com, devanshi.prasad@argus-p.com

To,

1. Ministry of Environment, Forest and Climate Change
through Advocate Ms. Amrita Pandey
2. Mahanadi Coalfields Limited
Through Advocate Mr. Ayan Poddar
3. Subhadra Coal Mining Limited
Through Advocate Ms. Devanshi Prasad

**BEFORE HON'BLE NATIONAL GREEN TRIBUNAL
EASTERN ZONE BENCH, KOLKATA
APPEAL NO. 07 (EZ) OF 2024
[I.A. No. 38 (EZ) OF 2024 and I.A. No. 97 (EZ) OF 2024]**

IN THE MATTERS OF

Sanjaya Kumar Mishra ...APPELLANT

VERSUS

Ministry of Environment, Forest and Climate Change & Anr. ...RESPONDENTS

AND

Subhadra Coal Mining Limited ...APPLICANT/INTERVENOR

VERSUS

Sanjaya Kumar Mishra ...RESPONDENT

Madam/Sir,

Please find attached the Counter Affidavit being filed.

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Warm regards,
Sanjaya K. Mishra
Environmental Lawyer

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